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NOTES AND NEWS.

OUR Bombay correspondent telegraphed on Friday last:—"Wednesday's riot in Bombay arose from the plague operations, a Mahometan sect, called the Julais, being the chief actors. The employment of European soldiers upon the work of plague inspection has been deeply felt for some time past, and this, combined with the new proposals in the matter of death registration, which are supposed to involve the inspection of dead bodies, contrary to the religious usages both of Hindus and of Mahometans, culminated in an outburst. Public opinion here contrasts the present Plague Committee unfavourably in point of conciliatory method with General Gatacre's work of last year." As will be seen from our Parliamentary report, Mr. Herbert Roberts put a question in the House of Commons last Monday with reference to the employment of British soldiers in the operations against plague in Bombay. Lord George Hamilton admitted in reply that some European soldiers had been employed in the search parties, and added, remarkably enough:—"This experiment had been tried with great success at Poona and, so far as I am aware, had caused no friction whatever." This is, indeed, a hard saying. Competent observers are not wanting who declare that the difficulties of the authorities in India in contending with the plague have arisen chiefly from the employment of European soldiers. It is to be hoped that the matter will be thoroughly thrashed out in the House of Commons in the debate which must take place upon the promised papers.

Meantime, Sir William Wedderburn, in a letter which appeared in the *Daily Chronicle* last Tuesday, has called attention to the matter of really vital importance. The authorities, he says, have unhappily come into violent collision with the forces of ignorance and fanaticism. The turbulent element in Bombay is, however, only a small portion of the whole population. On the other hand, there are signs of unrest among the general population. How, then, is the crisis to be met?

> Military repression may (writes Sir William Wedderburn) compel order for the moment, but it will not alone suffice; also it will not remove the root of the evil. We must summon to our aid not only physical but moral force, and the question is, Where can this moral support be found? The answer is, that it can only come from one quarter—from the educated Indians. This is the class which by instinct and training is on the side of order and enlightenment. They have accepted our Government as the National Government, because they believe that in British rule is to be found the sole hope of a happy future for India. And it is from them, and from them only, that we can look for moral support and active help against the powers of ignorance and fanaticism.

"In no part of India," Sir William adds, "are the educated classes more capable and better affected than in Bombay."

> But how has the Government behaved towards them? Has it, in these troublous times, confirmed their attachment, and fostered their influence for good; grappling them to us with hoops of steel? Not at all. On the contrary, our administrators seem to have singled out these very friends as the objects of their special anger and suspicion. As though troubles were not thick enough already, they have initiated an ill-advised campaign against the most valued privileges of the educated class,—freedom of speech, and the liberty of the Press. The fact is that, being out of touch with the people, our administrators have fallen into bad hands, and are the victims of erroneous information and misleading advice. The consequence is that they have struck down and paralysed their best friends at the very time they most need their help.

The remedy is—and, as will be seen from the article printed on another page, Mr. Romesh Dutt arrives at the same conclusion—to re-establish touch with the people, and to regain their lost confidence. "The task is difficult, but by no means impossible. Lord Ripon possessed not only the confidence, but the affection of the people. Go back to his methods. Stop absolutely and at once this ill-omened campaign against our best friends, and approach this difficult problem in a humane and teachable spirit."

There was an article in last Saturday's *Spectator* upon the riots in Bombay, which, when one remembers where it appeared, deserves the epithet remarkable. The writer, after a careful discussion of the other courses which he believed to be open to the authorities, came to this prudent conclusion:—

> The third course, which, if practicable, is free of all these evils, is to consult the best moollahs and pundits as to the rules which really affect religious faith or the Indian ideas of honour, to withdraw these, and to devote all strength and attention to the thorough cleansing of the city, remaking all drains, opening all quarters impervious to the wind from the sea, burning the floor of the streets, exterminating all rats, closing all chawls—the vast tenement-houses with five hundred inhabitants, which are packed like sardine-boxes—and burning down remorselessly every house in which an inmate has died of the Plague. Those measures, unaccompanied by segregation, have been successful in Europe, and as science is not local they ought to be successful in Bombay. It should be intimated to the people at the same time that the demands of their religions having been satisfied, any further attempt at license would be put down summarily by soldiers as well as the police. Order must be maintained in a city like Bombay, whatever the expenditure of lives, but to a reasonable man there is something very depressing in being compelled to kill her Majesty's subjects with bullets in order to persuade them not to suffer themselves to be killed by buboes.

"Common sense at last," one is inclined to exclaim, with the gentleman at Lord Salisbury's meeting. What the *Spectator* says now is what the Indian journals have been saying throughout. But *their* suggestions are "seditious" and "inflammatory." How true it is—*quidquid delirant reges, plectuntur Achivi!*

The question asked by Mr. Pickersgill in the House of Commons on March 7, which is reported on another page, raises an important and interesting issue. The revisional powers of the High Courts of British India constitute perhaps the most characteristic and most salutary feature of their jurisdiction. In the circumstances in which the criminal law is administered throughout the provinces of India, the power of the High Courts to interfere of their own motion, upon examination of criminal returns or otherwise, by way of revision of criminal proceedings, though no appeal has been brought by the party, is an admirable check on inferior courts, and has largely contributed to produce the affection and regard in which the High Courts are held by the Indian people. An illustration of this kind of jurisdiction was furnished last year in the case of two young Europeans who had received an inadequate sentence for insulting some Indian women in a railway carriage. One of the High Courts called for the record of the case, and, after investigation, increased the sentence. Hence it is not difficult to understand the apprehensions which were caused by Section 439, sub-section 5, of the new Code of Criminal Procedure Bill, which originally ran as follows:—"Where, under this Code, an appeal lies and no appeal is brought, no proceedings by way of revision shall be entertained; and, except as provided by this Code, no proceedings by way of appeal or revision shall be entertained."

Mr. Pickersgill asked whether the enactment of this section was within the competence of the Legislative Council of the Viceroy. It appears that, by an Act of the Imperial Parliament passed in 1861, her Majesty was authorised to establish by letters patent High Courts of Judicature in each of the Presidency towns and in the North-Western provinces; and it was enacted that each

of these High Courts should "have and exercise all such jurisdiction, original and appellate, and all such powers and authority for and in relation to the administration of justice, as her Majesty might by such letters patent grant and direct." Four letters patent were accordingly issued in pursuance of this statute. They are all substantially identical in their terms, and Article 28, which concerns our present purpose, runs as follows:—

And we do further ordain that the said High Court shall be a court of revision from the criminal courts subject to its appellate jurisdiction, and shall have power to revise all such cases tried by any officer or court possessing criminal jurisdiction as are now subject to revision by the said High Court.

It will be seen that no powers are here given to the Legislative Council of the Viceroy or to any other authority in India to alter the revisional jurisdiction of the High Courts. If that had been the intention, one would have expected that the description of the power conferred on the High Court would run somewhat like this: "Power to revise all such cases as are now revisable, *subject to any law which may be made in relation thereto by competent legislative authority for India*"—a phrase which actually occurs in another part of the letters patent in relation to a different matter.

We now learn that the Committee to which the Bill was referred has most materially modified the provisions to which Mr. Pickersgill called the attention of Parliament. The sub-section quoted above is now superseded by the following two sub-sections:—

Section 439(5): Where under this Code an appeal lies and no appeal is brought, no proceedings by way of revision shall be entertained at the instance of the party who could have appealed.

Section 439(6): Subject to any express provision in this Code, every order of an inferior court under this Code shall be open to revision by the High Court.

The effect of the amendment is this: while a party who is entitled to appeal, and does not choose to exercise his right will not be entitled to apply for revision, there will be no interference with the right of a revisional court to interpose of its own motion when it is of opinion that substantial justice has not been done. Moreover, by sub-section 6, the general right of revision is saved. So far, so good. But the nature of the original proposal illustrates significantly enough the temper in which the legal advisers of the Viceroy addressed themselves to their work of repressive legislation, and Mr. Pickersgill is to be congratulated upon the service he did in promptly calling attention to the matter in the House of Commons.

The Press Act of 1835, which knocked off the shackles of the 1823-27 regulations, was passed after "ample discussion and deliberation," although admittedly "disaffection was universal." The new Sedition Act has been passed after being less than a couple of months before the public, and that in a period admittedly of "profound peace." The Government went out of its way, apparently for a show of conciliatoriness, to ask the opinions of various representative bodies, such as the Bengal Chamber of Commerce, the Defence Association, and the British Indian Association. It received also the unsought opinions of many other representative bodies, professional as well as popular. It could see for itself the opinions of the Press, English as well as vernacular, throughout the length and breadth of the land. "Judged by these tests," says the *Englishman* frankly and truly, "the measure was not acceptable to any class or to any community." All this adverse opinion was driven home by the dissents of the non-official members subscribed to the Select Committee's report. What did the Government do—this Government that is so deeply concerned for the interests of India? Did it alter the Bill to meet the unanimous storm of opposition? Did it delay action for further consideration? Not a bit of it. Mr. Chalmers simply defied the solid opinion of the country. The Government, he said, had carefully considered what it was about, and would stand to its amendments, with a full sense of its responsibility. Where, we should like to know, will such responsibility fall? Not a member of that Council will be one penny the worse whatever the consequences of this obnoxious Act. Even the *Englishman* says plainly that it thinks "the Government has amused itself at the expense of the bodies whom it affected to consult."

When the Government succeeded in putting Mr. Tilak in prison, it demonstrated the more than ample efficiency of the existing law and the absolute lack of necessity for panic-stricken amendments. Mr. Allan Arthur, speaking for the mercantile community in the Viceroy's Council, evidently yielded his support to the Government with the utmost reluctance, and in reliance on a fragile reed. He let himself be caught by the political confidence trick. He accepted the assurance—no doubt the perfectly honourable assurance—of the Viceroy that "the Government have no desire or intention to interfere in any way with the liberty of the orator or the Press," an assurance which ought, he says, "to be perfectly satisfactory to the ordinary person who has none but loyal feelings." But, he admitted, the assurance does not satisfy everyone. How could it? How does Mr. Arthur know that something will not happen to-morrow on which the Government will fasten as a reason for varying its intention? Admit that no such thing happens, yet how can people complacently assume that the Government's interpretation of an act perfectly loyal—utterly dissociated from feelings other than loyal—will be a true construction? One remembers the case of Mr. Tilak, where neither judge, nor counsel, nor the big half of the jury was in a position to say from personal knowledge what was the right construction of the incriminated words.

The Indian non-official members of the Viceroy's Council represented their views in the recent debate with restraint, but with firmness and dignity. Mr. Ananda Charlu protested that there is not the slightest danger to the interests of society and the peace of the country, such as the Government imagines; and he enforced the significance of the representative opinions placed before the Government. Sir James Westland's banter did not make up for his lack of solid argument, and he left Mr. Ananda's speech undamaged. Mr. Sayani dwelt impressively on the serious character of the Bill, and the necessity for delaying it for further consideration, in view of the manifest opposition of public opinion. The course he urged was certainly the wisest. The moderation of the Indian members contrasts notably with the violence of some of the official members, which is also in strange contrast with the purring of Lord George Hamilton and Sir Richard Webster at St. Stephen's. When Lord George reads the speeches, say, of Mr. James and Sir Alexander Mackenzie, he will stand astonished at his own moderation. But he ought also to remember that it is such headstrong men who will lead him a dance again. The Lieutenant-Governor of Bengal reads the papers, like Sir Richard Garth. But he finds that "the majority of them simply revel in misrepresentation of the motives of Government and the nature of its measures; and this," he says, "is an evil which is yearly growing, and, with the spread of what is called education, is becoming more far-reaching in its noxious effects." Sir Richard Garth, who was for many years Chief Justice of Bengal, found something very different in the newspapers, as our readers know. And Lord William Bentinck, who was assailed more virulently than ever Sir Alexander Mackenzie has been, found the newspapers more instructive than anything else. And what are we to think of a Lieutenant-Governor who sneers openly at "what is called education"? If, as he says, "our sole object" in this legislation is to "maintain the British Government," and that object has the solid basis which Mr. Ananda says it has not, then—Heaven help the British Government!

On March 7, as will be seen from our Parliamentary report, Lord G. Hamilton stated in the House of Commons in reply to a question from Mr. MacNeill, that he was "not aware" of any change in the rules of the Thomason Civil Engineering College at Rurki, with reference to the admission of Indian students. One cannot help wishing that Lord George Hamilton had made some enquiry into the matter, and declared positively whether there has or has not been any such change. In our December issue we stated that the Mahajana Sabha of Madras had brought this change of rules to the notice of the public and of the Government. In our issue of January 7, we gave an extract from the memorial of the Indian Association of Calcutta protesting against the change, and we referred to *Indian Engineering*, an Anglo-Indian paper, as defending the action of the Government in making the change. The public is now entitled to positive information on the subject from the

Government, and we hope that a further question will be asked.

In this connexion it is interesting to note that the *Pioneer*, at any rate, is well aware of the change of which complaint is made. In its issue of February 25 (to hand by the last mail), it writes:—

A memorial which the Bombay Presidency Association has submitted to the Government of India regarding the rules of entrance to the Thomason Civil Engineering College at Rurki, protests against a recent alteration by which natives of pure Asiatic descent, whose parents or guardians are domiciled in Bengal, Madras and Bombay, are excluded, and no doubt the new rule at first sight seems in a manner to accentuate these "racial differences of an invidious character."

The *Pioneer* contends, however, that "there is in this case an explanation which is less invidious if we only look for it." The explanation which is volunteered is as follows:—

The gist of the matter is that according to the decision of the Public Service Commission, approved by the Secretary of State, recruitment for the various Provincial Services should, so far as possible, be from the inhabitants of the Province for which the service is recruited. Bengal, Madras, and Bombay have their own Engineering Colleges, with prizes in the shape of scholarships, and guaranteed appointments in the Provincial P. W. D. But Bengal, Madras and Bombay students, not content with their own plums, crowd to Rurki to enjoy the N.W.P. plums also.

Will Lord George Hamilton associate himself with this absurd "explanation"? At all events, it will not do for him to say any longer that he is not aware of the change. Now that the London County Council elections are safely over, he may reasonably be expected to look into the affairs of his own department.

On March 8, in reply to another question from Mr. MacNeill, Lord G. Hamilton stated that he had "heard nothing" about the case of Mr. P. C. Mukerji, whose appointment was recently negatived by the Divisional Commissioner of Burdwan on the ground that he was not a "European officer." In our December issue we quoted from the well-known Calcutta journal, the *Amrita Bazar Patrika*, a portion of the letter of the Divisional Commissioner in which he negatived Mr. Mukerji's appointment on the ground that "what is required is a competent man who is neither Behari nor Bengali, Hindu or Mahometan." Whether the Secretary of State had previously heard of the case or not is a matter of comparatively little interest to the public. But the public are entitled to know whether the appointment of Mr. Mukerji was or was not negatived on the ground stated. Lord G. Hamilton, we are glad to see, has at last undertaken to "cause enquiry to be made."

The information supplied by the Secretary of State for India on March 8, in reply to Mr. Samuel Smith, with reference to the land revenue settlements in the Central Provinces confirms our worst apprehensions. (1) The Land Revenue in 1883-84 was 62 lakhs; the Land Revenue in 1896 was 78⅗ lakhs—an increase of nearly 25 per cent. But this is not all. The full effect of the recent settlements will not be observable for a year or two, and then, we fear, the increase will be found to be nearer 50 per cent. And (2) the old and salutary rule of settlements for a period of 30 years, adopted by the Indian Government after much deliberation, and followed in the Central Provinces in 1863-70, has now been abandoned. The present settlement is for a term of 20 years or less, so that another twist may be given to the screw after this comparatively short period. To talk of improving the condition of the peasantry of India, when they are treated in this way, seems perilously like mocking at their misfortunes.

Sir Charles Dilke asked Lord George Hamilton last Tuesday whether he could yet state the estimated cost to India of the proposed military changes—or, in other words, of the increase of pay which in view of the difficulty of obtaining recruits the Government at home has determined to give to British soldiers. Lord George Hamilton, however, appears to be as much in the dark as ever. "The matter is by no means a simple one." That is true, as we showed some time ago. But what is one to think of a system under which the annual charges upon the Indian taxpayer for British soldiers serving in India is permanently increased before the Secretary of State himself is aware of the amount of the increase? Such an incident would be inconceivable under a system which gave the taxpayers their rightful share in the control of expenditure. It is, therefore, a singularly apt illustration of the methods by which Indian administration is at present carried on.

Mr. Leonard Courtney, M.P., remarked in a speech last autumn (which we reported at the time) that, given a favourable opportunity, he might discuss the problems of Indian administration. One has waited for that opportunity to occur, and, although it does not altogether appear to have occurred last Saturday, when Mr. Courtney gave a lecture, named "A Chat about Colonies," at Toynbee-hall, still another fragment of the promised discourse was vouchsafed to us. We quote from the too brief report in the *Times*:—

Mr. Courtney next dealt with what he termed trade settlements, pointing out that many of these settlements had developed in a very curious manner. They were planted generally upon the shores of a country, and then by treaty and annexation the settlers eventually became lords and masters of vast territories. Thus grew up the control of the East Indies by a chartered company. He recognised the allurements to imaginative men in the Government of India as it exists. If our position in India was not one of mere force, we must justify our hold on the country by the effect of our Government on the people who were subject to it, not merely by saying that we secure peace, but by doing something to enable the Indians themselves to come up and be associated with us, to be connected with the Government, so that if it should ever happen that Great Britain should depart from India the fate of the Indians left behind should not be like that of the Britons left behind by the Romans, but that they should have some power of self-reliance and of keeping themselves together as a nation. Many people believed that it would be a good thing if China were taken over in the same way as India. He thought we might, perhaps, make such an attempt if the position were entirely clear from rival claims, but he would suggest that we had one big job in hand already which required all our care, thought, and energy.

All of which is so admirable that it makes us ask for more. Later, Mr. Courtney seems to have said that "in considering the question of the ultimate possibility of the federation of the whole of the British Empire, we must bear in mind the differences of race and temperament. He did not see, for instance, how it would be possible to bring British India into equal federation with other parts of our Empire."

During the past fortnight Mr. Romesh Chunder Dutt, C.I.E., has addressed various public meetings upon the crisis in Indian affairs—at Failsworth, Lancashire, on March 4; at Oxford, on March 7 (when Mr. Sidgwick presided); at Bolton on March 9 (the meeting being convened by the Women's National Liberal Association, of which Mrs. Byles, of Bradford, is an active and distinguished member); and in the Prestwich division of Lancashire on March 11. We regret that we have not space for reports of these meetings, but we see from the *Oxford Journal* of March 12 that Mr. Dutt, in his Oxford speech, examined the causes of periodical famine in India. His conclusion was that

the real reason lay in the fact that the expenditure of the British Government consequent on these frequent wars and the maintenance of a larger army than India required was far more than the population of India could bear. Quite four-fifths of the population depended entirely on agriculture; therefore, if they so adjusted taxation as to leave a fair profit to the agriculturists, the natives would be prosperous and happy; but if they raised the taxation so as to leave no margin, nothing could save them from poverty and indebtedness and famine whenever there was a bad harvest.

At the Prestwich meeting, which was reported in the *Manchester Guardian*, Mr. Dutt urged that in dealing with the plague—

One great mistake made was that the authorities had not asked for the co-operation of the people themselves to that extent which was needed in such an emergency. He saw from an article in the *Manchester Guardian* that it was hoped that the sympathy of the educated Natives would be enlisted on the side of the authorities. That should have been done before. (Hear, hear.) The only remedy was to enlist the co-operation of the people themselves. From the beginning the people had said that they did not object to the segregation of patients, but asked that the authorities should try home segregation. They did not wish their people to be taken out into plague camps situated a long way from them. When their relatives died they asked that at least they might see them die and administer such comfort to them as they could.

Mr. Dutt's meetings have been highly successful, and those who have heard him are now arranging a further series of meetings in adjoining constituencies. Mr. Dutt has also, we are glad to see, been selected by the Liberal Association in the Prestwich division as one of their delegates to the Annual Conference of the National Liberal Federation, which meets at Leicester next week.

AN ACT TO MAKE CRIMINALS.

PANIC is still in full revel in the legislative chamber at Calcutta. Last Saturday, after two days' sittings, the Viceroy's Council passed the Criminal Procedure Bill. From Reuter's limited communication one learns that "various points of the Bill were warmly contested;" whence one gathers that the Indian members free from official ties have done their duty. The official clique, however, are too strong to be overborne, and it is idle to expect that they have made any real concession to the powerful body of professional and popular objection to a variety of grossly oppressive provisions. The Act will, no doubt, arrive in England by the first post, and Lord George Hamilton has already certified that he will fearlessly do his duty. One earnestly trusts that a like spirit of duty will animate the House of Commons, and especially the front Opposition bench. One would also hope that the constituencies may prick their representatives to an adequate interest in a subject which is agitating all thoughtful men in India so profoundly. Do Englishmen yet realise the significance of this panic-born legislation? Mr. Whitley Stokes at one time made the wise suggestion that the Codes should be revised every five years. The quinquennial period, indeed, has long gone by, and the Government eagerly professes that no real alteration in the law is intended. But Mr. Whitley Stokes had no notion of a scramble like this. What he contemplated was a calm judicial review of the Codes in the light of the development of the country and experience of the operation of the statutes; and he would undoubtedly have wished that professional and popular criticism should have full opportunity of expression and receive serious and respectful consideration. Mr. Whitley Stokes's attitude, as we understand it, commends itself alike to common sense and common notions of justice. On the present occasion the Calcutta Government has rushed at the business like a bull at a gate. It has been only by the keenest vigilance and the utmost promptitude that outside critics have been able to get in a word. The Bills now passed are conspicuously defective in omitting to deal with matters crying aloud for reform. They are conspicuously redundant in dealing with matters requiring no attention. They are conspicuously rash in departing from well-considered principles of Indian legislation, and arousing keen dissatisfaction and distrust among the people. They bear the unsightly marks of panic: the Hon. Mr. Chalmers even appealed to the Bombay riots as showing the effect of newspaper incitements "read between the lines," undeterred by the mess the Bombay Government made by reading between the lines in the prosecution of Mr. Tilak.

Well, what is thought of this in England? Are Englishmen yet aware that Section 54 of the Criminal Procedure Act extends the existing powers of the police to arrest "without an order from a magistrate and without a warrant" to "village policemen or chaukidars," at the discretion of the Local Government? Here is a distinctly new provision, though the Hon. Mr. Chalmers is careful to affix to the Act the innocent description of "a consolidating measure." Moreover, not an atom of substantial reason has been or can be produced in support of such an amendment—an alteration in the law that could hardly be justified even by the clearest demonstration of the most imperious necessity for precaution. Further, this extension of powers is obviously liable to the gravest abuse in practice. It is as true now as when Sir Richard Temple wrote it some years back that "a good police is still one of the unaccomplished reforms of India." Listen to Mr. R. Carstairs's Bengal experience:—

> I do not say that there are no police officers who use their powers only as they are meant to be used. But Hodge looks on the police officer as an extortioner and a bribe-taker, to be avoided as such. If by chance he meets one that is honest, he is as much astonished as I was in a certain cathedral which I was once shown over, when I met a verger who refused a tip.

Such is the general estimate of the Indian police officer. What then must be the moral elevation of the worst? Has the Government no idea of the popular opinion of the chaukidar? Is the chaukidar a man that will recognise judicial restraints, and resist local influences to turn his powers into an engine of private oppression? Yet the Government seems to think that this leopard will instantly and permanently change his spots under the magic of a disgraceful enactment. And, as we have already pointed out, there is nothing to show that a miserable chaukidar may not arrest the foremost Native gentleman in his jurisdiction, and detain him in custody as long as he likes. Is this sort of thing really to be called the same law as that which prevails in England? And do Englishmen at home think it is right?

Stress of opinion compelled the Select Committee to modify the obnoxious addition to Section 108. This Section had authorised a Presidency or a District magistrate, or a specially empowered magistrate of the first class, "whenever he has information" that someone has orally or in writing disseminated, or attempted to disseminate, defamatory or seditious matter, to call upon such person to find security for good behaviour. The defamation is now limited to "any matter concerning a judge which amounts to criminal intimidation or defamation under the Penal Code." Yet the modification does not obviate the criticism of the *Times of India*:—

> It ought not to be a cause of complaint against the present law that, in order to put it in operation, definite and conclusive evidence that the offence has been committed shall be laid before the Court. Yet such would seem to be the view of the Government of India when they propose that, instead of requiring legal proof of the offence, the magistrate shall act merely upon information. There is a great deal too much of the spirit of the *police des mœurs* in this to make it compatible with our view of the way in which a British administration shall keep the peace. . . . We object strongly to a proposal which would convert every policeman into an eavesdropper, eager to pick up—or invent—any scrap of information that may be turned to account for the undoing of any man whom he may think it possible to bring into disfavour with the authorities. . . . The proposal gives rise to the uncomfortable apprehension that things will be done under it which are incompatible with an open and straightforward administration of the law according to ordinary rules of evidence. . . . We regret this unnecessary and ill-advised attempt to make one of the chapters of the Criminal Procedure Code an engine for vexation and possible injustice.

Such is the strong opinion of the *Times of India*. The *Madras Law Journal* fully agrees with it, pronouncing the provision to be "an extraordinary one, without any justification," and "likely to have the effect of placing the Press under censorship, and giving the Government that control which they disclaim all desire of exercising." A right of appeal against orders by Presidency and District magistrates to furnish security for good behaviour has now been admitted. But the contention of the *Madras Law Journal* still stands good, that "the exercise of powers of revision by the High Court is mostly a farce and furnishes no remedy, as the High Courts are, according to their unwritten law, reluctant to interfere except in the event of some flagrant error of jurisdiction or law." Even the *Pioneer* contends "that no justification whatever exists for placing the whole Press of India without distinction at the mercy of a magistrate acting merely on information." And what are the qualifications of these magistrates? They may be young men of four years' standing in the service, who have just had time to forget in other duties what little tincture of law they ever learned, and who have had no experience. They may also be the very objects of the inculpated editor's criticisms. Let us again quote the *Madras Law Journal*:—

> The fact that the criminal law in England is administered by judges who are trained lawyers, and with the help of juries who are imbued with respect for the liberty of the Press, is a circumstance that tends largely to temper the administration of the law. In India, on the other hand, except in the Presidency towns, judges are the arbiters of both law and fact, but do not possess the same training and qualifications that are possessed by their English brethren. It is truer now than ever that, with a small number of distinguished exceptions, judges and magistrates are not conspicuous for their legal training or legal instincts. We need not go further for our authority on this point than to the speech of Sir Henry Prinsep in connexion with the Criminal Code Procedure Bill, where he refers to the want of legal experience of magistrates. It has also to be borne in mind that, owing to the peculiar circumstances of the country, judges are often liable to be prejudiced, and not likely to take dispassionate views of cases. . . . . One important object of the administration of justice in any civilised country must be to induce in the minds of the people a feeling of confidence in the ability and impartiality with which justice is administered. This feeling is likely to be greatly weakened by the investiture of magistrates of the first class or Presidency magistrates with powers to try cases of sedition, which, from their very nature, are sure to attract a large amount of public attention and interest.

One has had very recent confirmation of all this in the *Pratoda* case, to say nothing of Mr. Tilak's case; and yet Sir Henry Prinsep has been the author of the fresh alterations in the Code. We content ourselves now with these salient points, referring particularly for further criticisms to our article on "Another Turn of the Screw"

(February 4), to "An Indian Correspondent's" communication (January 7), to Mr. Pickersgill's article (February 18), and Mr. Pickersgill's speech in the House (pp. 124-5, February 25). We would again urge most earnestly the danger of giving larger scope to the authority of immature and admittedly inexperienced magistrates, especially at a time when the demand for the separation of judicial and executive functions has become more clamant than ever. Members of the House will remember that Lord George Hamilton told them that "he did not believe, from what he heard, that the mass of Native gentlemen or educated opinion, except those connected with the Press, objected to the alterations" in the Criminal Procedure Code. It is for Sir Henry Fowler to let him hear how very differently the case stands. The idea of the assimilation of Indian and English law is specious and fallacious in any case, but even that unstatesmanlike argument is glaringly false to the facts. Mr. Dicey, following Lord Kenyon, tells us that the freedom of discussion in England is little else than the right to write or say anything which a jury, consisting of twelve shopkeepers, think it expedient should be said or written. Sir Henry Fowler will no doubt draw the attention of Lord George Hamilton, who, as the friendly *Pioneer* says, has "a lamentable lack of grip" on Indian questions, to the very different position of India. It should indeed be hardly necessary, as the Council of the Bombay Presidency Association points out, but unfortunately as a matter of fact it *is* necessary, "to dwell upon the extreme importance of the trial of seditious offences by a jury consisting of a majority of Indian jurors, conversant with the language of an incriminating article or articles, and the views and feelings of their countrymen, in a country like India where even High Court and Sessions judges are not intimately acquainted with Indian vernaculars, and their peculiar modes of requiring variations in thought and shades of feeling, upon the right appreciation of which depends the serious question of the guilt or innocence of an accused person." As Mr. W. C. Bonnerjee has forcibly said: "Let us have the English law of sedition, but let us have the same machinery for the administration of this law as it is in England. . . . It is no use giving us only one portion of the English law on the subject, and not the other portion"—especially while pretending to the House of Commons that the law is assimilated in both countries. If there be any Liberal spirit left on the Front Bench, this Act will not be confirmed in England without serious protest.

THE REWARD OF SYMPATHY.

SELDOM, unhappily, has one enjoyed the satisfaction of speaking a favourable word on recent Indian administration. One has been compelled, very much against the grain, to devote attention rather to shortcomings and misdoings of the Government and Government officials. It is with special pleasure, therefore, that one recognises the conspicuous ability, zeal, and foresight with which Sir Antony P. MacDonnell, the Lieut.-Governor of the North-West Provinces and Oudh, carried to a successful issue the combat with the Famine within his jurisdiction. One might perhaps have taken the official record with a grain of salt, and have regarded with some suspicion any ordinary public attention. But when Indians of position, with full cognisance of the facts, join in acclaiming the conduct of the Lieutenant-Governor, both by pen and by voice, there remains no ground for hesitation. One feels the thankfulness of a weary traveller in a dry and thirsty land when he suddenly comes upon a green oasis and wells of water.

There was never any doubt that Sir Antony MacDonnell would grasp his nettle with decision and vigour. It is matter for satisfaction, indeed, that a man of his energetic temperament should have been at the head of affairs in the provinces in which the scourge of famine fell with perhaps the greatest severity. Whatever may be the fundamental causes of the visitation, there can be no question that at least one of the immediate causes was the repeated shortness of crops. For several years the harvests had been poor. For two successive seasons the crops had been all but a positive failure; and "there was a period when nearly one-half of the population of the Allahabad Division were left with no resources of their own to stand between them and starvation." In the Benares Division the pinch was less severe, yet very sharp; and in Bundelkhand, but for early and drastic handling, it might well have recalled the desolating scourge of the early years of the century, whose scars yet mark the land. Now it is greatly to the credit of Sir Antony MacDonnell that he foresaw in time the approach of the enemy, and took prompt measures to counteract its operations. Indeed, it is hardly too much to say that he discerned the signs of the times more quickly than any of the other officials of Government. No less distinctive was the principle by which he guided himself, although that was fully recognised at headquarters and throughout the country. That principle was to preserve the people at all costs—as economically as might be, but to preserve them whatever the bill might run to. Here lies a striking contrast with the administration of Lord Lytton, who looked first to the cost, and second to the people: if he had only applied the principle to his foreign affairs, how much better it would have been for India! After all, there can be no doubt that, even in point of expenditure, the thoroughgoing principle is the one that pays best—apart altogether from the question of humanity.

Again, one of the unhappy results of famine is a grievous demoralization of certain sections of the community. The history of famines tells of outbursts of lawlessness in all degrees, from freebooting down to the lesser relaxations of moral restraint. In the present case the exertions of the Government were recognised and supported, as Sir Antony himself acknowledged in Darbar, by "splendid fortitude and a patient, law-abiding spirit." "During the past year," he said, "though petty crimes were more numerous than usual, there was none of that general turbulence and disorder which might have been expected from a people suffering from so great a calamity; and so soon as the season permitted, they returned to their fields and villages with apparently unabated energy and hope." So much is prevention better than cure. One is glad to see that Sir Antony acknowledged handsomely the generous assistance of those "who, by remission of rents, by private charity, and by private relief works, did what lay in their power to alleviate the distress of their tenants and poorer neighbours." We have already referred to the munificent consideration shown by the Mahárájá of Darbhanga. But the same spirit that prompted the Mahárájá permeated all ranks of society. This abounding charity is one of the finest traits of the Indian people, and a severe time like a period of famine calls forth its most ample expression.

The key to Sir Antony's success, however, lies less perhaps in his foresight and vigour than in his personal sympathy. He took good care that there should be no such exacerbations of Indian feeling as have drawn such painful attention to the plague administration in Bombay. And it is not only for the immediate practical objects that sympathy is so valuable. Its influences run through the whole of the social and political life of the people, and issue in the most precious tendencies towards that union of hearts which constitutes the very keystone of the Empire of India. There is a great deal of meaning—if officialism generally would only understand it—in such expressions as the following, which we quote from an address presented to Sir Antony by the Mahárájá of Benares on behalf of many representative and influential signatories:

> The calamity which afflicted these Provinces during the last two years was both widespread and severe; and, if its effects were not so disastrous as they might have been, it was because of the system of relief so excellently organised and carried out by your Government. The measures adopted by you saved the lives and relieved the sufferings of vast numbers of the people, and brought the benevolent power of her Majesty's rule more vividly home to the minds of the humblest as well as the highest of her subjects than had perhaps been done ever before. This has naturally drawn the rulers and the ruled more closely together, and has thereby added to the strength and stability of the Empire. We feel we cannot sufficiently express our gratitude to your Honour.

Such a spontaneous testimony, "supported by the whole of the united Provinces—by representatives of the great territorial landlords, of commerce and trade, of the learned professions, and of the agricultural interests—in short, of all that is influential, respected, and of solid worth in the civil life of the country"—such a testimony is surely the greatest honour and satisfaction that could fall to the fortune of any Proconsul. "It is a supreme reward," said Sir Antony, "for me, and for the officers who have worked with me, to know that in doing our duty we have

earned the people's goodwill." Before such a recognition Sir Antony's G.C.S.I., highly honourable as it is, must pale its ineffectual fire. The example of this striking episode should work its effects. It is yet another impressive lesson that sympathy—not in any way demoralizing firmness and justice—is the most potent of all available instruments for the British government of India. Would that the lesson could only be learnt at Calcutta and at Westminster.

At the same time another very remarkable address was presented to Sir Antony MacDonnell on behalf of the Pundits of Benares by Mahammad Padhyaya Rama Misra Shastri, Professor of Hindu Law at the Sanskrit College. It is no ordinary occasion that can evoke such a public demonstration of the Pundits, or draw a Shastri from his studious retirement to mix in political functions. The rhetoric will not obscure the depth of feeling:

> This, above all, is the happy fortune of these Lords of Britain, that they can secure men like your Honour for the service of the State. And among these men, your Honour—such is our good fortune—is the crest jewel and the magic gem that fulfil the hearts of the people.
>
> And this is a season of great joy, for we here are under the fostering care of one who knows how to protect his subjects, and is versed in polity, and who has made radiant the quarters of the earth by his name, and whose delight is in the joys of his people, and whose sorrow is in their sorrows. How shall we praise your Honour's increasing efforts in behalf of the people like those of Bhagiratha, who brought Ganga down to earth, and by means of which efforts during the past year your Honour saved the people from the dangers of famine?

We observe also with pleasure the pamphlet by the Hon. Mr. Seth Raghabar Dayal, Talukdar of Moiz-ud-dinpur, in the Sitapur District of Oudh, on the history of the Famine in the North-West Provinces and Oudh. This spirited sketch, he says, he has written "in order that my fellow-countrymen may be enabled to appreciate fully the great good which England is capable of doing to India by the application of sympathetic and generous statesmanship to her affairs." Sir Antony has proved himself a "jewel." Let other administrators but imitate him, and in their turn and sphere prove alike deserving of the praise of "the crest jewel and the magic gem that fulfil the hearts of the people."

WITHIN THE FRONTIER.

It may be fairly assumed that the military operations beyond the North-West Frontier have for some months past been persistently distracting the attention of the Indian Government from the ordinary work of administration. The record of Sir William Lockhart may justly be held to warrant the fullest confidence in him, and there can be little doubt that the General's eye has been very specially directed to the subsidiary but fundamental organisations of transport and commissariat. For all that, the minds of the authorities in Calcutta must have been constantly wandering away to the hills of the North-West. Nor are we yet, apparently, within sight of the end. The Afridis seem likely to remain "recalcitrant." A resumption of military operations this spring is quite on the cards. If this should turn out to be a true anticipation, the Indian Government will have been doomed to something very like a round year of warfare beyond the border—and that of an unusually heavy character. Put together the appalling loss of officers and men in proportion to the results attained, the alarming expenditure so industriously and so foolishly minimised, the prolongation of the unsettled condition beyond the frontier, and the accumulation of tribal hatred over a wide area; and then marvel, if you can, at the anxious searching of heart that prevails at Calcutta and at Westminster. The Forward Policy, or whatever it may be called, has placed the Government and the country in a very serious position; and there is mighty little satisfaction in the reflection that the authorities were seriously warned and acted in the face of the highest expert counsel. And all this turmoil and loss and disorganisation and mortgaging of the future have been ostensibly incurred for the protection of India! Well, in the meantime, it has, of course, been necessary to carry on the internal administration, with all the handicapping of the external warfare and worry. It is worth while, then, to turn from the futile distractions of the Frontier, and to glance for a quiet moment along the outstanding points of internal concern. Is it indeed well with India?

In the first place, it is of no use to shut our eyes to the patent fact that the very corner-stone of the Empire of India has been rudely shaken. We mean, of course, the profound belief of the Indians in the firm justice of their English rulers. There is the Tilak case. It has shaken and agitated the whole Indian community. Not merely Poona, not merely Bombay, but the whole of the Peninsula, has been thrilled and amazed by the unaccountable developments of Mr. Tilak's trial. The result is, to his compatriots, absolutely unintelligible, consistently with unbroken confidence in English justice. We have already dealt fully with the grounds of this unintelligibility, and we refrain from useless recapitulation. But it is plain that the blow struck by the Government and the Courts, however sincerely, has completely missed its purpose. It is, the average Anglo-Indian may think, very small matter to incarcerate Mr. Tilak and a few more Indian editors. It is a very serious matter to have intensified the Mahratta devotion to the memory and the idea of Sivaji under such circumstances as to divert a most natural and proper enthusiasm into channels of dubiety and of danger, and to have welded into union with the Mahratta feeling the sympathies of every other nationality (not altogether excepting Englishmen) within the Empire of India. This, then, is a most unhappy situation. Even if some special relief were granted by exercise of the prerogative to Mr. Tilak, whether with or without his consent, the difficulty cannot now be uprooted for long years to come. True, an amending Act might be passed, so as to place the unfortunate section 124A in the true light, as it was unquestionably intended to be construed by the legislators that enacted it. Such a prospect, however, is closed by the legislation recently rushed through the Council. The Viceroy's Council has in fact been actively employed in devising means to stereotype the obnoxious and impracticable interpretation that has agitated the whole country so keenly. Every sane man is with the Government in the stern repression of sedition. But the universal sentiment of justice requires that sedition be strictly and unambiguously defined, and that it be proved beyond the faintest possibility of doubt before the punishment be inflicted.

Coincident with Tilak's case is the still worse case of the brothers Natu. We say the Natu case is worse because, while everybody knows the facts of the Tilak case, no mortal man outside a narrow official circle has the faintest idea why the Natus have been deported. It would be waste of energy to discuss the question whether the Government has acted within its powers or not. There stand the Regulations in black and white, and there is little more to say on the point. But the question is, for all reasonable purposes, absolutely irrelevant. The power is an ancient arbitrary power, probably enough justifiable, possibly even necessary, at the date of its enactment; but we have travelled a long way beyond the conditions of the country seventy years ago. The origin of the power may in fact be traced to 13 Geo. III, cap. 63, sec. 36; and this takes us back to 1773—just a century and a quarter! It was this antiquated and arbitrary section that founded the power of the Government to enact the Regulations of 1818 and 1827. But these Regulations themselves, so far at least as the particular point is concerned, have long been antiquated by the progress of development. The courts stand open all day for the settlement of all causes of action. They are the recognised forum for such settlement. Their decisions are open to the public, and they are more respected by the public than any other public acts in the whole country. There is probably no single agency that has done more to reconcile the people of India to the English Government than the spectacle of inflexible justice meted out without favour or fear to all men. Unhappy cases, like Mr. Tilak's, which shock the general sense of fair play, whether through technical accidents or otherwise, have been the exceptions—the very rare exceptions; and they have not hitherto dangerously touched the general estimate. Why, then, did not the Government of Bombay bring the Natus into court, and demonstrate to all men their clear guilt, before proceeding to confiscate their property and cast them into prison? To every fair-minded man, the course taken is not only arbitrary. It is unjust. It is oppressive. Worst of all, it is cowardly and dastardly, forfeiting the respect of any man whose respect is worth having. It is nothing short of preposterous for a government to act in this manner, and then

to turn round and claim the willing confidence of its subjects.

For the rest, the central point of anxiety is the condition of the finances. The reports already circulated as to the cost of the war beyond the frontier are simply absurd. The largest estimate—six millions—will be doubled; indeed, there will be little room for surprise if it be eventually tripled or quadrupled. We remember the like case of the last Afghan War, when the official estimate was all but multiplied by ten! India is not able to pay the bill. There are indications that England is willing to contribute. The plain thing is that England ought to pay the whole; for this warfare is in no sense a warfare required or approved by India. It is simply and solely an English warlike demonstration in face of Russia and in view of European rivalries. India is merely the victim. Even apart from payment of the whole or part of the war expenditure, India will have difficulty in making ends meet. Meantime, trade and commerce are hampered; the public works, which might be expected to do so much for the true development and prosperity of the country, are grievously straitened; and the agriculturists—that is to say, nine men in ten—are left to struggle with the hard shackles of the revenue system and the iniquitous predominance of the money-lender. Even were there peace to-morrow, and even were we to retire within the Indus Valley frontier and leave the hill tribes to their own devices, it would try the best efforts of the Government for many a weary year to re-establish such internal prosperity as the inhabitants of the land are entitled to look for at the hands of their rulers. Let us not forget that the Government which has lately been exhibiting its statesmanship beyond the North-West frontier is also the Government which is responsible for the administration of British India, and the present reign of terror, within the frontier.

THE RIOTS IN BOMBAY AND THE NEW LAW OF SEDITION.

By Romesh C. Dutt, C.I.E.
(*Late Officiating Commissioner of Orissa.*)

"ARE the Government right or wrong," asked Mr. Chalmers in the Indian Viceroy's Council on the 11th instant, in reference to the Bombay riots, "in trying to check the evils which to-day's news shows are so quickly capable of bearing fruit?" One may be permitted to reply categorically that the Government of India are wrong in the methods they have adopted, because to gag the Press in India will not remove the evils, but will aggravate them. To stifle the expression of discontent is not to remove discontent; the discontent grows deeper and ends in disorder or disturbance.

During the last nine months the Government of India have unwisely done all that it was possible to do to stifle the expression of Native public opinion in India. Complaints made against the employment of soldiers in the carrying out of plague-relief measures have been disregarded. Representations made by citizens about specific acts of abuse of authority have been treated as disaffection. Two leading citizens who protested against the plague operations have been deported from their homes, and have been kept in confinement since, without a trial. Prosecutions have been instituted against the Native Indian Press, and sentences have been passed which have shocked public opinion in India and in England. And lastly, a draconian Sedition Bill has been introduced, and has been passed into law, calculated to completely stifle the free expression of opinion in India. The Native Indian Press has been struck with terror. Congratulations have been wired from India on the more subdued tone of the Native Press. What is the result? To silence the expression of discontent is not to remove the discontent; and the discontent in Bombay has found expression in violence and disturbance.

It is unwisdom, bordering on folly, to stop the expression of the public feeling through the Press in India, seeing that the Press is the only channel for the expression of such feeling. A wise Government should rather seek to know through the Press if there are any grounds for dissatisfaction and discontent, and should endeavour to remove them. Lord Sandhurst has wired that when the recent disturbance broke out in Bombay he was engaged in consultation with Native Indian gentlemen for devising means to carry out the plague-relief measures so as to give the least offence to the susceptibilities of the people. One cannot help enquiring if these means should not have been devised twelve months ago. The Native Indian Press never failed in its duty of representing to the authorities the feelings and sentiments of the people. And instead of treating such representations with disregard and contempt, instead of denouncing them in India and in this country as disaffection and disloyalty, it would have been wiser and juster to have taken note of them at the time, and to have devised means, twelve months ago, for carrying out plague relief measures so as not to needlessly offend the susceptibilities of the people.

No one questions the intention of the Indian Government and of the Government officers to administer the country for the good of the people. No one who has examined the work of Indian administration with his own eyes can doubt that the work is carried on with integrity and with ability. But the mistake always made by an autocratic Government is to suppose that you can administer successfully the concerns of a great and civilised nation without allowing the representatives of that nation some real voice in the work of administration. The mistake made is to assume that you can secure their interests after tying up their own hands, or that you can respect their feelings after silencing their voice. The deplorable riots in Bombay will have done some good if they help to convince the powers that be of the unwisdom and the risk and the serious danger of trying to rule India by gagging Acts and by silencing the Press.

In Bengal the voice of the people is louder, and has perhaps more influence, than elsewhere in India, and in Bengal the mistakes of the plague-administration have to some extent been avoided. There was a rumour in Patna that the plague-rules would be enforced in that great town, and the city was half depopulated. The Lieutenant-Governor of Bengal visited Patna shortly after to reassure the people, and he formulated certain rules which contrast in a marked degree with the harsh rules worked in Bombay during these twelve months. The Lieutenant-Governor of Bengal has, if one is rightly informed, promised to allow patients to be segregated in their own houses where this is possible, and in every other respect has undertaken to entrust the people themselves with the duty done in Bombay by search parties. And the people of Patna are said to have been reassured by these rules.

One cannot help asking why such conciliatory and wise methods are not always adopted among the peaceful, loyal and contented natives of India. There is one and only one answer to this enquiry. The rulers of India, with the utmost desire to serve the interests of the people, entertain a mortal aversion to allowing the people any real power in the work of administration. The result is a growing feeling of dissatisfaction and unrest in India. The unrest and the dissatisfaction can be allayed only by enlisting the co-operation of the educated people of India in the real work of administration, as has been done in every British colony and dependency, and as is being done at the present moment in Ireland. The unrest and the dissatisfaction cannot be allayed by tying up the hands of the people and by gagging their Press.

[Since the above was written, one learns that the Governor of Bombay has decided to entrust to the headmen of the people themselves the work hitherto done by search parties accompanied by soldiers. If this had been done twelve months ago, in response to the representations and complaints of the Indian Press and Indian public opinion, the murder of European and Indian officers, and much dissatisfaction, disorder and rioting would have been avoided. It is by the co-operation of the people, not by gagging the people's Press, that good government is possible in India.]

ENGLAND AND INDIA: A "*LEONINA SOCIETAS.*"

I.

BURIED away in the numerous appendices to the first report of the Royal Commission on Indian Financial Expenditure is an instructive paper, by Sir H. Waterfield, financial secretary to the India Office, on the subject of payments in respect of services in which both the Imperial and the Indian Governments are interested. The most

important because by far the heaviest of these payments are those made on account of her Majesty's forces serving in India. Let us look first at the "effective charges." Under regulations framed in 1824, the cost of recruiting for British regiments serving in India was divided between the British Government and the East India Company, according to the amount of pay issued for soldiers on the British and Indian establishments respectively. It is easy to see how comfortably even from the beginning this apparently innocent and equitable division worked out for the British Government. The effective strength of British regiments in India averaged 24,100 from 1834-1857. The payments made for the depôts at Maidstone (cavalry) and Chatham (infantry) recruiting districts, etc., worked out at an average rate of £8 per man serving in India. But the East India Company—no niggard corporation—also maintained European troops in India with a depôt, etc., in England. From 1818 - 1857 their forces averaged in number 11,700. From 1850-1859 the cost of their English recruiting depôt, etc., worked out at £2 8s. 11d. per man on their Indian establishment, or, if we omit the exceptional years of the Sepoy Mutiny, at £3 3s. 9¾d. It would appear, therefore, that the Home Government made a handsome profit on a charge of £8 per head, or—which is just as unfortunate for India—the system at Maidstone and Chatham was much more expensive than India needed. At the time of the Mutiny, some forty battalions were sent to India, leaving depôts behind them, which were placed on the "Indian Establishment," until the force at these depôts rose to nearly 19,000 men, paid for by India, "though available in this country" (Report of Sir A. Tulloch's Committee, p. 10 of House of Lords Paper 165 of 1862). Even after the emergency had passed away the depôt establishment of Indian regiments numbered nearly 10,000 men with enormously increased charges in every way. Before this time about 1,500 men of all arms had been found enough for recruiting purposes. It is true that the British troops in India were increased. But they were not increased in the proportion of 15 to 100. From this disastrous start, so far as Indian finance is concerned, it has resulted that from 1860 differences have arisen between the Indian and Imperial Governments which have not yet been settled.

In 1860 a Committee (Sir A. Tulloch's) was appointed to determine an average rate for the effective charges in England. Let us briefly follow the history of the capitation rates for the depôt and recruiting charges of British troops in India. First, a capitation rate of £10 per man on the effective strength in India was adopted temporarily, under protest from the Secretary of State for India. But in spite of protests the rate remained in force from 1861-2 to 1869-70. Viscount Cardwell, who introduced and organised the short service system in the British Army, admitted that the system was needlessly costly, and stated that the Accountant-General of the War Office calculated the extra cost to India under this arrangement, as compared even with the too expensive system which succeeded it, at £100,000 per annum. That was a fine of nearly a million sterling paid by the poorer and weaker to the richer and stronger partner in this *leonina societas* in about eight years. From 1870-1—1872-3 the payments were adjusted at rates against which the India Office again ineffectually protested. In 1874 the Duke of Argyll added his strong protest to the others already made, and a Select Committee on East India Finance advised the appointment of a Departmental Committee to settle future rates. Previously a Committee, presided over by Mr. Seccombe, had recommended a rate of £4 12s. 6d. per man of all arms. Even this was considered excessive by the Indian authorities; but forthwith another Committee (Mr. Bouverie's) raised the rate to £5 16s. 7d. for recruits only, and this was levied until 1875-6. It was now Lord Northbrook's turn to add his protest, which he did in a despatch dated March 10, 1876, contesting the fairness of the conclusions of Mr. Bouverie's Committee. Thereupon the Secretary of State "agreed" (delightful word!) to adjust the claims until 1876-7 according to those very conclusions, the fairness of which had been contested by the Viceroy. Then the Government of India "struck," and refused to close the accounts from 1870-1 onwards. This heroic attitude produced severe animadversions upon someone from the Committee on Public Accounts in 1877. Another committee was accordingly proposed, before which the Secretary of the Treasury, Colonel Stanley (afterwards Earl of Derby), in an important memorandum dated December, 1877, stated, ". . . with some reserve, I must record my opinion that the system of actual charge exacts too much." Negotiations proceeded, but the Treasury again carried the day with a proposed rate of £6 10s., which was formally agreed to by the India Office. But the arrangement afterwards fell through, so another Commission was appointed, with Lord Northbrook as chairman. The Chancellor of the Exchequer admitted the objections raised by the India Office to the unadjusted War Office claims, but Lord Northbrook's Commission in three belated reports fixed the rate for 1879-80—1884-5 at £6 15s. a man. In 1885-6 came the increase of British troops in India, and for the years 1886-7—1889-90, the amounts paid worked out at an average rate of nearly £7 5s. per man; and the final report of Lord Northbrook's Commission in 1892 recommended for 1890-1 and 1891-2 a rate of £7 10s., which has been continued ever since. On 73,100 men in 1894-5 this involved a payment by India of £548,250, exclusive of payment on account of deferred pay, amounting in that year to £230,000.

This brief summary exhibits a curious chapter of Anglo-Indian history—a steady stream of protest from the Indian authorities, ineffectual; a steady increase of the claims of the Imperial Government, successful. Only two alternatives seem possible. Either the Indian Government asked for too great concessions, thereby hampering their case, ultimately losing all through grasping at too much; or the English demands were consistently unfair, and were carried through by superior weight of metal, by the natural advantages belonging on their own ground to the representatives of the richer and stronger partner over those of the poorer and weaker one. No matter which alternative be adopted, it is clear that India has suffered. But there is another consideration. The mere fact that these negotiations for adjusting the claims between the Imperial and the Indian Governments in such a cardinal matter as the cost of recruiting British troops in India—from 1860 to the present day—are still incomplete is surely a severe satire on the way in which India's interests are dealt with under the present dispensation. One could understand a certain amount of "give and take" in negotiations of inevitable intricacy. But that for nearly forty years India should have been vainly protesting, and the British Treasury consistently and triumphantly encroaching — proceeding, indeed, from one expensive success to another—such a state of things is not easily explicable on any theory of fair play between the two opposing parties.

THE WEEK IN PARLIAMENT.

BY OUR OWN ONLOOKER.

When I last wrote, one was bewildered by the talk of millions wanted for the army. During the past week, it has been the navy which has presented its little bill. Mr. Goschen began his statement on the Navy estimates last Thursday, by remarking that he had to ask the House to grant the colossal sum of £25,550,000, and he added significantly, that he had no doubt the House would grant it readily enough, and that if any criticism was offered, it would be because of the smallness of the demand! That is, indeed, all one hears now in the Commons when the Government asks for money. "Why don't you ask for more?" is the cry. Perhaps the most interesting point in connexion with the debate on the Navy estimates, turned out to be that raised by Mr. Robertson on Friday night. Mr. Robertson is a man of great ability, of perfect fearlessness, and he has been a Civil Lord of the Admiralty. He fastened on the admission of Mr. Goschen that the ships in hand for the year's programme had been delayed fully seven months owing to the lock-out, and he wanted to know why penalties had not been enforced against the contractors. The terms of the contract he contended did not provide for a lock-out. It was at once clear that the Goverment felt Mr. Robertson's protest against their having favoured the contractor in a great dispute, and by so doing neglected the defences of the country. Mr. Macartney made a perfunctory and by no means good-tempered reply, and this brought up Sir William Harcourt, who was remarkably vigorous. He showed the utter absurdity and worthlessness of Admiralty contracts if the Department could not or would not enforce penalties. He asked if it was sensible, or even decent for the Government, and the Government alone, to say to these contractors. "If you lock out your men we will let you off the penalties"? The Attorney-General was evidently much pained by all this. He replied in sorrow and also to some extent in anger. He denied that the Government had agreed to let the contractor off. The time had not

yet come; let them wait—and so on and so forth. The general impression left by the debate, however, was that the Government had been acting in friendly alliance with the employers in the late great lock-out, that they had delayed the naval programme for the year in order to back their friends, and that they bitterly resented being found out, like other evil-doers.

This is a Government of doles and grants in aid above everything else. The latest dole was that proposed on Monday night by Mr. Chamberlain, to be given to our West Indian Colonies. It struck me that Mr. Chamberlain had but little interest in the matter, and as he was making his statement, news was whispered round the House which, perhaps, accounted for his dejection. Men were passing the message along that Lord Salisbury had broken down in health, and that until his recovery Mr. Balfour would control the Foreign Office. That, of course, means that Mr. Balfour is practically Foreign Secretary and head of the Government as well as Leader of the House of Commons. And there was Mr. Chamberlain fooling about with a futile little grant in aid to some worthless West Indian planters. I have called this a dole, and if I had had any doubt on that point, it would have been set at rest by Mr. Chamberlain's anxiety to prove that it is not a dole, but something which he calls "necessary expense of Empire." This was roughly brushed aside by his fellow Unionist Mr. Courtney, who bluntly observed that it is just as well to call things by their right names.

Indeed, the case for the grant was riddled again and again. Even those who are in favour of such experiments in the case of a new colony which may by such means be put on its legs and made a good self-supporting and profitable colony, even they were against this. For these West Indian colonies have belonged to us for generations; none of them for less than 100 years, and many for more than 200. They are no good, and never will be. The money now taken from the pocket of that much-raided victim, the British taxpayer, goes simply into the pockets of certain Creole sugar-planters and good-for-nothing civilian officials, who swarm in the islands and do nothing for their money. But the pointing out of all this availed nothing. A certain class or clique has made an outcry, and that is enough for this Government; the noisy mouth has to be stopped by a sop, and so about £90,000 goes to the West Indies, and everyone knows that before long the demand will be repeated.

On Tuesday, Mr. Chaplin had a chance to say something, and he took it, with that evident enjoyment which so delights the House and induces it to cheer him so sedulously. He had to introduce a Bill explaining the Government's proposed alterations in the vaccination law. The alterations are (i) only calf lymph is to be used; (ii) children to be vaccinated before 12 months of age, instead of before 3 months as heretofore; (iii) the doctor is to go to the house where the child is, instead of the child being taken to a public station, and (iv) while vaccination is still compulsory, repeated penalties will not be inflicted on those who make a statutory declaration that they have conscientious objections to the operation. That last proposal certainly leaves the conscientious objector better off, but what an absurd state of the law! It provides that if you disobey you shall be punished, but then you can go on disobeying as long as you like. The men who make that concession cannot really believe in all the virtues claimed for vaccination.

Many have been the questions asked of Mr. Curzon during the week concerning China, Russia, and ourselves, but, information has been meagre. The formulas, "I am not in a position to make a statement," "her Majesty's Government is without information," and so on, have been used almost threadbare. The Chinese Minister, Sir Chichen Lo Fengluh, K.C.V.O. has been repeatedly in the Diplomatic Gallery listening with apparent calm to these questions and answers, and has been visited by various members, amongst others Mr. Pritchard-Morgan and Mr. Gibson Bowles. Between him and them relations apparently continue to be of a cordial nature, as Queen's Speeches have it.

The House had a very grave and important question before it on Wednesday, and it was little short of a scandal to see that during the greater part of the sitting only about fifteen members were present, and at no time, except in the division, did the numbers exceed fifty. The proposal—Mr. Pickersgill's—was for the establishment of a Court of Criminal Appeal, and the Bill, so far from being a hastily drawn up document, was almost exactly the same as a Bill prepared by the Government of 1883, a Bill which passed the House of Commons of that day, and was only dropped at the very end from lack of time.

The evils sought to be remedied are the monstrous inequality of sentences, and the desirability of an appeal in criminal matters, seeing that there are appeals in paltry civil suits. It was proposed to establish for this purpose a Court consisting of all the judges of the High Court and the Court of Appeal to sit in divisions of not less than three, and not more than seven. The Lord Chancellor was to be excluded as he is a politician—a proposal that will be understood by those who saw Lord Halsbury's conduct in the Tilak appeal case. The objections were, briefly, that this would make the first jury careless, that it would [illegible] a man being tried by his peers, and that it would en[illegible] on a po[illegible] criminal, whereas, now, anyone can petition the Home Office on a sheet of note paper. It should be said that the promoters of the Bill did not propose to put an end to the prerogative of mercy. Mr. Asquith, as an ex-Home Secretary, declared that in a very large number of cases that came before the Home Office a new trial would be of enormous advantage. The end was this—the bells summoned into the House a crowd of members who had not heard a word of the debate. They were told what to do, and they rejected the Bill by 180 to 116. Altogether, Wednesday did not add to the already waning reputation of the present House of Commons.

CHRONICLE OF THE WEEK.

THURSDAY, March 10.—From statements made by Mr. Curzon in the House of Commons, it appeared that Russia was negotiating with China for the lease of Port Arthur and Talienwan, as well as for the construction of a railway to one of those ports, on the same conditions as the Manchurian railway; but Talienwan, if so leased, was to be opened to foreign trade.

Mr. Goschen, in introducing the Navy Estimates, said the amount asked for included, with the sum taken under the Naval Works Act, the colossal total of £25,550,000. He hoped by the end of next year to have vessels of various classes completed, involving an expenditure of twenty-three millions sterling. He expressed the hope that "if there be peace, which God grant, it may be peace with honour, but if there be war, which God forbid, it may be crowned with victory."

A Reuter despatch from St. Petersburg said that an Imperial Ukase had been issued ordering the disbursement of 90,000,000 roubles as extraordinary expenditure for the construction of warships. No loan would be raised to provide the money.

Mr. T. M. Healy, M.P., at a meeting of the People's Rights Association in Dublin, referred to the Local Government Bill. He said the Government had faithfully and fairly kept their pledge to the Irish people. Of course the Nationalists would prefer to have Home Rule, but they would take this Bill to be going on with.

FRIDAY, March 11.—A Pekin telegram stated that the transfer of negotiations relating to Port Arthur to St. Petersburg, was due to a protest lodged last Tuesday by the British Minister against the proposed cession to Russia. The Chinese Government declared its inability to withstand the Russian demands, and it was thought that Great Britain would be in a better position to exercise influence at St. Petersburg than at Pekin.

A New York telegram stated that "the naval and military preparations which are being made are becoming more and more evident." Coast defences were being perfected and ordnance factories were "working to their utmost capacity." The negotiations for the purchase of warships proceeded.

It was announced from Bombay that, "as a protest against the plague measures," business was practically stopped. Many thousands of labourers had gone out on strike.

SATURDAY, March 12.—The Legislative Council at Calcutta, after an all-day sitting, passed the Criminal Procedure Bill. Twenty-two amendments to the measure were accepted and seventeen rejected, while six others were withdrawn. Various points of the Bill were warmly contested, the Viceroy giving his casting vote in connexion wih the proposal for accepting police diaries as evidence in courts of law. The presentation of the annual financial statement was fixed for the 21st inst.

Mr. Leonard Courtney, M.P., in an address at Toynbee Hall, traced some of our earlier efforts at colonisation, dwelling especially on their success in Australia and Canada. Touching the question of a confederation of the British Empire, he expressed a belief that, should such an object ever be realised, India would, owing to the difference of race and customs, have to remain outside as a dependency.

MONDAY, March 14.—It was announced that Lord Salisbury was greatly fatigued by the Cabinet Council of Friday, and had had a return of the febrile condition in consequence. He was now recovering, but his medical advisers were of opinion that he would not be fit to return to work at the Foreign Office till he had had complete rest and change. Mr. Balfour was at present, so far as was necessary, dealing with the current business of the Foreign Office.

The polling for the election of representatives of Central Hackney in the London County Council, deferred in consequence of the death of Mr. Samuel, one of the nominated Moderate candidates, took place. Mr. M'Kinnon Wood and Professor Stuart, M.P., the Progressives, were returned, receiving respectively 3,162 and 3,125 votes, against 2,369 and 2,291 recorded for Mr. Westacott and the Hon. Claude Hay, Moderates.

There was no cessation by the United States of activity in "preparing for eventualities." An office was opened at New York where a "special Board" from Washington was to negotiate for the "turning over to the navy of vessels valuable for conversion for war purposes." Other work of a warlike nature was also being actively pursued.

Mr. Woolf Joel, of the firm of Barnato Brothers, was shot in his office at Johannesburg by an ex-soldier.

A telegram from Bombay stated that the town was fairly quiet, but the military precautions had not been relaxed.

TUESDAY, March 15.—Lord Salisbury was reported to be very much better. Lady Salisbury left London for Paris, on her way to Beaulieu, where she was to be joined shortly by the Prime Minister.

The first meeting of the new County Council took place. Mr. M'Kinnon Wood, the former leader of the Progressive Party, was unanimously elected Chairman. Lord Welby was elected Vice-Chairman, and Mr. H. P. Harris, the former Moderate Whip, Deputy-Chairman. The aldermanic vacancies were filled by Progressives, with two exceptions, Mr. Antrobus and Mr. Baines.

The London University Commission Bill was considered and passed, with drafting amendments only, by the Standing Committee of the House of Lords. On the motion of the Duke of Devonshire the names of the Commissioners were inserted in the Bill as follows:—Lord Davey, the Bishop of London, Sir William Roberts, Sir Owen Roberts, Mr. Jebb, M.P., Mr. Michael Foster, and Mr. E. H. Busk.

Mr. William O'Brien addressed an Irish meeting at Hanley. He said the Irish National party did not wish to be unjust to the Liberal party; they were as strongly as ever for conciliation, but it must be on Mr. Gladstone's terms, without the subtraction of a single clause. Home Rule would have to be the first business of any possible Home Rule Ministry. This was the only honourable position for members of the Liberal party to take up, and, as recent elections showed, the only safe position.

WEDNESDAY, March 16.—According to a telegram from Shanghai, Russia had informed China that in case her answer to the demands preferred was delayed beyond a certain time, Russia would consider the delay as an assent to her occupation of Port Arthur. A strong British squadron had assembled at Port Hamilton.

Lord Rosebery, at the dinner of the Associated Chambers of Commerce, expressed regret at the illness of Lord Salisbury, remarking that when they had him, with his matchless experience of foreign affairs, and his high patriotic enthusiasm at the helm, they knew they had a statesmen whom they could thoroughly trust. He did not grudge any necessary expenditure upon the fleet or the army, and he did not object to the cost of a foreign policy so long as it was guided by judgment and foresight. But when he heard people talking lightly of war, he thought they should ask themselves whether they, by such war, would get "value received."

THE THIRTEENTH CONGRESS.

TEXT OF THE RESOLUTIONS.

We give below the authorised text of the resolutions carried at the Thirteenth Indian National Congress, held at Amraoti, on December 27, 28, and 29 last:—

I.—THE "FORWARD" FRONTIER POLICY.

Resolved that this Congress expresses its deep and earnest conviction that the present frontier policy of the Government of India is injurious to the best interests of the British Empire in general, and this country in particular, as it involves frequent military expeditions beyond the present limits of the British Indian Empire and causes great loss of valuable lives and public money; and therefore entreats the British nation to put a stop to this aggressive policy and lay down that if such expeditions are found necessary, they being for Imperial purposes, the major portion of their expenses should be defrayed by the British Exchequer.

II.—THE COST OF THE WAR.

Resolved that in view of the fact that the calamities of famine and plague have dislocated the already seriously embarrassed finances of this country and crippled its limited resources, and that the military operations carried on beyond the North-West frontier are for the protection of Imperial interests, this Congress prays that the British Parliament will, pending the settlement of the principle on which the military charges are to be apportioned between Great Britain and India, be pleased to make a substantial contribution to the cost of the present war.

IIa.—PETITION TO PARLIAMENT.

Resolved that this Congress authorises the President to submit a petition to Parliament embodying the prayer contained in Resolutions 1 and 2 under his hand on its behalf.

III.—ROYAL COMMISSION ON INDIAN EXPENDITURE.

Resolved that this Congress rejoices that the Royal Commission on Indian Expenditure was pleased to decide to admit the public to its proceedings, and further desires to express its grateful acknowledgments for the opportunity afforded by the Honourable Commission to representative Indian witnesses to state fully the case on behalf of India. With regard to the three divisions of the reference, the Congress desires most respectfully to submit the following prayers for the favourable consideration of the Honourable Commission:—

(i) As regards the machinery to control Indian Expenditure, it is prayed—(1) that the non-official members of the Viceroy's Council may be made more directly representative of the Indian people, and that they may have the right to move amendments and divide the Council upon the provisions of the Budget; (2) that a sufficient number of representative Indians of position and experience may be nominated to the Council of the Secretary of State on the recommendation of the elected members of the Viceroy's and Local Legislative Council; and (3) that each year a Select Committee of the House of Commons may be appointed to enquire into and report upon the financial condition of India;

(ii) As regards the progress of expenditure, it is prayed that the military and other unproductive expenditure be reduced, that larger amounts be spent in promoting the welfare and the progress of the people, and that a large saving and a more efficient administration may be obtained by the substitution, as far as practicable, of Indian for European agency in the higher grades of the public service; and

(iii) As regards apportionment of charges, it is prayed that the Imperial Treasury may bear a fair proportion of all expenditure in which the common interests of India and the rest of the Empire are involved; and especially that the expenses of the present war beyond the frontier may be largely borne by the Imperial Exchequer. Lastly, that it be an instruction to the President to submit a copy of this Resolution under his own signature to the Chairman of the Royal Commission with the least practicable delay.

IV.—OMNIBUS RESOLUTION.

Resolved that this Congress concurs with its predecessors in strongly advocating—

(a) Persistent pressure by the Government of India on all Provincial Administrations to induce them to carry out in its integrity the Excise policy enunciated in paragraphs 103, 104, and 105 of the Despatch published in the *Gazette of India* of March 1890, and the introduction of a simple system of effective local option; (b) a modification of the rules under the Arms Act so as to make them equally applicable to all residents in, or visitors to, India without distinction of creed, caste or colour; to ensure the liberal concession of licenses wherever wild animals habitually destroy human life, cattle or crops; and to make all licenses granted under the revised rules of lifelong tenure revocable only on proof of misuse, and valid throughout the Provincial jurisdiction in which they are issued; (c) the establishment of Military Colleges in India, whereat natives of India, as defined by Statute, may be educated and trained for a military career as commissioned or non-commissioned officers (according to capacity and qualifications) in the Indian Army; (d) the authorizing and stimulating of a widespread system of volunteering, such as obtains in Great Britain, amongst the people of India; (e) the discontinuance of the grant of exchange compensation allowance to the non-domiciled European and Eurasian employés of Government; (f) the abolition of the Council of the Secretary of State for India; (g) the establishment of a High Court of Judicature in the Punjab.

And this Congress, concurring with its predecessors, records its protests—

(a) Against the scheme of reorganisation of the Educational Service which has received the sanction of the Secretary of State, as being calculated to exclude natives of India, even those who have been educated in England, from the superior grade of the Educational Service to which they have hitherto been admitted (the words of the Resolution being "In future natives of India who are desirous of entering the Education Department will usually be appointed in India and to the Provincial service"), advocating that the scheme may be so recast as to afford facilities for the admission of Indian graduates to the superior grade of the Educational Service.

(b) Against the present rate of the Salt Tax, which produces great hardship to the poorest classes of the country, a hardship which renders it incumbent upon the Government to take the earliest opportunity to restore the duty to its level of 1888.

(c) Against the disabilities imposed on Indian settlers in South Africa, and the invidious and humiliating distinctions made between them and European settlers, appealing to Her Majesty's Government and the Government of India to guard the interests of Indian settlers and to relieve them of the disabilities to which they are subjected.

(d) Against the retrograde policy of the Government of India in nominating a gentleman for the Central Provinces to the Supreme Legislative Council without asking local bodies to make recommendations for such nomination, entertaining the earnest hope that Government will be pleased to take early steps to give to the Central Provinces the same kind of representation that it has already granted to Bengal, Madras, Bombay and the North-Western Provinces.

And this Congress, also concurring with its predecessors, expresses its firm conviction—

(a) That in the interests of the public, the Medical Science and the Profession, as also in the cause of economic administration, (1) there should be only one Medical Military Service with two branches, one for the European Army and one for Native troops, worked on identical lines; (2) the Civil Medical Service of the country should be reconstituted as a distinct and independent Medical Service, wholly detached from its present Military connection and recruited from the open profession of Medicine in India and elsewhere, with due regard to the utilization of indigenous talent, other things being equal; and (3) there should be a thorough open enquiry into the status and claims of Civil Assistant Surgeons and Hospital Assistants with a view to the redressing of long standing anomalies and consequent grievances.

(b) That the time having come when greater facilities are imperatively required for higher education and the proper [illegible]lopment of the Indian intellect than what are at present of[illegible] [illegible]xamina-

tions alone, the Acts of Incorporation of the Universities of Calcutta, Madras and Bombay should be amended so as to provide for the introduction of teaching functions and for a wider scope of learning so as to suit generally the requirements of the present day.

(c) That, having regard to the facility of intercourse between all parts of India and Assam, the time has now arrived when the Inland Emigration Act I of 1882 as amended by Act VII of 1893 should be repealed.

(d) That it is desirable that in future no Indian Prince or Chief should be deposed on the ground of mal-administration or misconduct until the fact of such mal-administration or misconduct shall have been established to the satisfaction of a public tribunal which shall command the confidence alike of Government and of the Indian Princes and Chiefs.

(e) That having regard to the opinion of the Jury Commission as to the success of the system of trial by Jury, and also the fact that with the progress of education a sufficient number of educated persons is available in all parts of the country, the system of trial by Jury should be extended to districts and offences to which at present it does not apply, and that the verdicts should be final.

V.—Simultaneous Examinations.

Resolved that this Congress, concurring with previous Congresses, again records its deep regret that the labours of the Public Service Commission have practically proved void of any good result to the people of this country, and repeats its conviction that no satisfactory solution of the question is possible unless effect is given to the Resolution of the House of Commons of June 2, 1893, in favour of holding the competitive examinations for the Indian Civil Services, viz., Civil, Medical, Police, Engineering, Telegraph, Forest, and Accounts, both in India and in England. This Congress would once again respectfully urge on her Majesty's Government that the Resolution of the House of Commons should be speedily carried out as an act of justice to the Indian people and as the only adequate fulfilment of the pledges made to them.

VI.—Liberty of the Press.

Resolved that the Congress, being of opinion that the Government of India Notification of June 25, 1891, in the Foreign Department gagging the Press in territories under British administration in Native States, is retrograde, arbitrary, and mischievous in its nature, and opposed to sound statesmanship and to the liberty of the people, again enters its emphatic protest against the same, and urges its cancellation without delay.

VII.—Permanent Settlement.

Resolved that this Congress enters its emphatic protest against the policy of Government in provinces where the settlement of land revenue is periodical in reducing the duration of the settlement while enhancing its amount, and expresses its firm conviction that in the interests of the country it is absolutely necessary that the land revenue in such province should be permanently settled.

VIII.—Judicial and Executive Duties.

Resolved that this Congress notices with satisfaction the support of public opinion both in England and in India which the question of the separation of Judicial from Executive functions in the administration of justice has received; and this Congress once again appeals to the Government of India and the Secretary of State to take practical steps for speedily carrying out this much-needed reform.

IX.—Famine: Its Cause and Cure.

Resolved that this Congress is glad to note that the Government of India has appointed a Famine Commission, and hopes that the Commission will institute a searching enquiry into the matter. At the same time this Congress once again desires to repeat its conviction that famines are due to the great poverty of the people, brought on by the drain of the wealth of the country which has been going on for years together, and by the excessive taxation and over-assessment consequent on a policy of extravagance followed by the Government both in the Civil and Military departments, which have so far impoverished the people that at the first touch of scarcity they are rendered helpless and must perish unless fed by the State or helped by private charity. In the opinion of this Congress the true remedy against the recurrence of famine lies in the adoption of a policy which would enforce economy, husband the resources of the State, foster the development of indigenous and local arts and industries, which have practically been extinguished, and help forward the introduction of modern arts and industries.

X.—A Famine Memorial.

Resolved that this Congress expresses its heartfelt gratitude to the British public and to the peoples of the British colonies, the United States of America and other foreign countries for the generous aid afforded by them to the starving millions of this country during the late dreadful visitation of famine, and also wishes to place on record its high appreciation of the services which many men and women—English and Indian—residing in this country rendered, and the pecuniary help they gave for the relief of those afflicted by that calamity.

And that it be an instruction to the various Congress Committees to raise a sum of a thousand pounds, to be sent to the Lord Mayor of London on behalf of the Congress, in order that he might be pleased to put some memorial in some conspicuous part of London expressing the gratitude of the people of India for the help rendered to them during the time of the last famine.

XI.—The Government of Madras and Bombay.

Resolved that, having regard to the wisdom of the policy of appointing to the Governorships of Madras and Bombay, statesmen from England to the exclusion of the Services in India, this Congress is of opinion that it is desirable that the Executive Governments of those Provinces should be administered by the Governors with Councils of three Members and not of two Members, as at present, and that one of the three Councillors should be other than a member of the Indian Civil Service.

XII.—Deportation Without Trial.

Resolved that this Congress respectfully deprecates the exercise by the Government of the extraordinary powers vested in them by Bengal Regulation III of 1818, Madras Regulation II of 1819, and Bombay Regulation XXV of 1827 at a time of peace and quiet, and submits that such powers should be exercised only under such limitations as will ensure their being put in force with the utmost circumspection and care under a sense of the highest responsibility by the Government.

(a.) This Congress therefore urges that none of these Regulations should be put into force except after notification by the Local Government concerned that the circumstances contemplated by the preamble of the Regulations exist in its Province or in some definite area within the Province, and that it intends, if necessary, to exercise the powers vested in it; and further that in no case should such powers extend to keeping a person arrested under them in custody for a period longer than three months without his being brought to trial before a Court of Justice.

(b.) That this Congress, while feeling that the Government of Bombay must have acted under a sense of responsibility in arresting the Sirdars Natu under Bombay Regulation XXV of 1827, is yet of opinion, that, five months having now elapsed from such arrest, it is the duty of the Government, in the interests of justice, and also to allay the disquiet and uneasiness which has been created in the minds of the people at large by the arrest, to bring them—the Sirdars Natu—to trial without delay, or, if the Government have no sufficient evidence against them to place them before a Court of Justice, to release them.

XIII.—The New Law of Sedition.

Resolved that this Congress views with alarm and anxiety the changes proposed in the existing law of sedition as defined in Section 124A, and of circulating false reports as defined in Section 505 of the Indian Penal Code, and is of opinion that Section 124A of the Indian Penal Code requires amendment, not in the direction of greater stringency but in that of greater freedom, and if the law of sedition in India is to be made the same as it is in England, the administration of it ought to be safe-guarded substantially in the same way as it is there, namely, that the trial of accused persons must always be by jury, at least one half of whom should be persons of the same nationality as the accused, and that their verdict should be unanimous. And this Congress strongly protests against cases of sedition being made triable by Magistrates and not by Courts of Sessions and High Courts exclusively, as heretofore, and against the proposal to invest District Magistrates with the power of calling upon persons who, in their opinion, disseminate disaffection, to find sureties of good behaviour for twelve months. This Congress is further of opinion that the changes in the law now proposed will be altogether at variance with the pledges given by Sir James FitzJames Stephen when passing Section 124A of the Indian Penal Code through the Council, and will deal an irreparable blow to liberty of speech and freedom of the Press, thus retarding the progress of the country and creating terror instead of confidence in the minds of the people.

That a copy of this Resolution be submitted to the Legislative Council by the President.

XIV.—The Criminal Procedure Bill.

Resolved that this Congress desires to record its protest against the Criminal Procedure Bill of 1897, now pending before the Imperial Legislative Council as being a retrograde and reactionary measure, which will add to the already large powers of the Police, invest Magistrates with a discretionary authority which they do not now possess, and curtail the powers of the High Courts, all to the extreme prejudice of accused persons.

XV.—The Punjab Council.

Resolved that this Congress, while thanking the Government for granting the boon of a Legislative Council to the Punjab, places on record its regret that they have not extended to the Councillors the rights of interpellation, and to the people the right of recommending Councillors for nomination such as are enjoyed by the Councillors and people in the other Provinces.

XVI.—The Administration of Berar.

Resolved that the Province of Berar, though not a part of British India, is administered by the Governor-General-in-Council in the same way as any portion of British India, but the important work of legislating for the province is performed by the Executive, instead of by the Legislative Council, result-

ing often in unsuitable and inconvenient legislation. This Congress, therefore, humbly prays that so long as Berar is administered by the Governor-General-in-Council all laws and orders having the force of law intended for Berar should be enacted by the Supreme Legislative Council in the same way as those for British India proper.

XVII.—The Famine Commission.

Resolved that this Congress prays that the scope of the Famine Commission appointed by the Government of India be extended so as to include an enquiry into the causes of periodical famines and the remedies for the prevention of the same.

XVIII.—Mr. Dadabhai Naoroji.

Resolved that this Congress again expresses its full and unabated confidence in Mr. Dadabhai Naoroji as the representative of the people of India, and hopes that he will be re-elected by his old Constituency of Central Finsbury or any other Liberal Constituency.

The remaining Resolutions were formal.

Imperial Parliament.

Monday, March 7.

HOUSE OF COMMONS.

THE WITHDRAWAL OF CAPTAIN BARTON.

Sir Charles Dilke asked the Secretary of State for India if an enquiry was to be held into the circumstances which led to the withdrawal of the political officer from the Khyber in August last, and the refusal to support the Khyber Rifles by reinforcement from Peshawar.

Lord G. Hamilton: The circumstances which have been reported to me in connexion with this transaction show that the withdrawal of Captain Barton was only ordered after the military authorities on the spot decided that troops from Peshawar could not be pushed up the Khyber Pass, and the withdrawal was subsequently approved both by the local and supreme Governments. I do not propose, therefore, to institute any enquiry into this particular transaction; but in considering the arrangements which will be sent home from India for the future safeguarding of the Khyber Pass, I shall take the opportunity of laying down what should be the principles governing the relations between tribal levies and their officers so as to make clearer for the future the action to be taken at times of emergency.

THE WAR BEYOND THE FRONTIER.
THE COST IN HUMAN LIFE.

Mr. McLaren asked the Secretary of State for India whether he was now able to state how many officers and men of the British forces engaged in the Indian frontier operations had died of their wounds or of sickness, in addition to the 499 stated by him to have been killed in action:

And whether he could say if any considerable proportion of the wounds were probably inflicted by Dum-dum bullets or other projectiles of English manufacture.

Lord G. Hamilton: The total casualties from June 10, 1897, to date are:—Killed, including those who have died of wounds: British officers, 44; British non-commissioned officers and privates, 136; Native officers, 6; Native non-commissioned officers and privates, 320—total, 506. Wounded, not including those who have died of wounds: British officers, 93; British non-commissioned officers and privates, 404; Native officers, 36; Native non-commissioned officers and privates, 845—total, 1,378. Died of disease: British officers, 10; British non-commissioned officers and privates, 250; Natives of all ranks, 220—total, 480.

It is not possible to state how many of the casualties were caused by any particular kind of bullet.

THE OCCUPATION OF CHITRAL.
THE STRANGE CASE OF MAJOR-GENERAL KINLOCH.

Mr. Beckett asked the Secretary of State for India whether the sole reason for cancelling Major-General Kinloch's command of a first-class district, subsequent to the Chitral expedition, consisted in his having written a letter to Sir R. Low, in which he pointed out the difficulties in the way of the contemplated forward movement towards Chitral, such communication having been made confidentially and by special permission of Sir R. Low.

Mr. Brodrick: In 1895 the late Commander-in-Chief, after the fullest consideration of Major-General Kinloch's case (as reported by the Commander-in-Chief in India), decided that it was undesirable to retain that officer in command of a first-class district. The Secretary of State sees no reason for reopening the question.

Sir L. Lyell asked whether there was any precedent for a responsible officer being condemned for making a confidential communication of this kind. (Cheers.)

Mr. Beckett further enquired whether in consequence of Major-General Kinloch's representations considerable modifications and alterations were introduced in the plan of campaign; and whether a serious slur had been cast on a distinguished officer.

The Speaker: Order! That is commenting on the answer.

Mr. Brodrick: The case was decided three years ago, and has now passed the phase of enquiry. The fullest enquiries were made at the time by responsible officers on the spot and at home. All the circumstances of the case were fully considered, and the conclusion arrived at, which was sanctioned by the Secretary of State, was that this officer could not be retained.

Mr. Beckett: I wish the right hon. gentleman to answer my question—(cheers)—which was whether there is any other reason alleged for depriving him of his command than the fact that he had written this letter to Sir R. Low, in which he took objection to certain details of the proposed operations. (Cheers.) Was there any other reason for the cancellation of the command?

Mr. Brodrick: I furnish the House with no reasons. I said all the circumstances were fully considered by the officers concerned.

PROPOSED PHYSICAL LABORATORY.

Mr. Schwann asked the Secretary of State for India whether he could say what was the result of the recommendation which he was understood to have made in the summer of 1897 to the Government of India, in support of the establishment of a physical laboratory in that country for advanced scientific teaching and research; and, if so, what sum was to be allocated to that object, and when would the work be commenced.

Lord G. Hamilton: The Government of India reported in a despatch received last week that the initial outlay on a physical laboratory of the kind described would be 60,000 tens of rupees, and that they regretted in the present state of the finances to be unable to entertain so costly a scheme.

A GOLD STANDARD.

Sir William Houldsworth asked the Secretary of State for India whether the original estimate of the Indian Finance Minister was that a sum of £15,000,000 in gold would be sufficient to secure a gold standard for India, and to guarantee the inter-convertibility of the sovereign and the rupee:

And whether, as £16,000,000 had already been borrowed since the mints were closed in 1893, the gold standard for India had now been secured, or would a further loan for that purpose be necessary.

Lord G. Hamilton: Sir David Barbour, when Financial Member of the Council, in a Minute dated June 21, 1892, expressed an opinion that gold coins to the amount of Rx. 23,000,000, say £15,000,000, would be a sufficient proportion to the active circulation in India to maintain a gold standard effectively. No sterling debt has been incurred since the closing of the mints to provide any such fund. Whatever debt has been raised has been exclusively for other purposes. The latter part of the hon. member's question is in effect a question as to the particular measures which the Government of India might or might not consider necessary to secure the maintenance of the gold standard, and as to these I am not prepared to give any information.

THE RECENT CURRENCY ACT.

Sir William Houldsworth asked the Secretary of State for India if any gold had been deposited at the Bank of England under the recent Act passed in India for the issue of currency notes in exchange for gold deposited in London.

Lord G. Hamilton: No gold has been deposited in the Bank of England under the recent Act, but I have reason to believe that the passing of the Act had the effect of improving the financial situation, and was by no means ineffective.

THE CRIMINAL PROCEDURE BILL.
WAS PART OF IT "ULTRA VIRES"?

Mr. Pickersgill asked the Secretary of State for India if he was aware that doubts had arisen in this country whether Section 439 of the Indian Code of Criminal Procedure Bill, 1898, in so far as it restricted the revisory powers of the High Courts of Judicature at Fort William, Madras, and Bombay, was not in conflict with Article 28 of the Letters Patent establishing the said Courts respectively, which were issued by her Majesty under the authority of the Statute 24 and 25 Vict., c. 104:

And would he say whether he had been advised that the said Section was *ultra vires* of the Legislative Council of the Viceroy.

Lord G. Hamilton: I was not aware that any such doubt had been suggested in this country, but some of the Indian opinions which I have seen raise objections to the clause as drafted, to which the hon. member refers. Those objections will doubtless receive full consideration from the Government of India and the Select Committee to which the Bill has been referred; and if I find, after consultation with my legal adviser, that there is any inconsistency between the clause as ultimately settled and the Letters Patent I shall know how to act.

THE THOMASON ENGINEERING COLLEGE.

Mr. MacNeill asked the Secretary of State for India, whether his attention had been directed to a change in the rules for the admission of natives of India to the engineer class of the Thomason Civil Engineering College at Rurki, which up till 1896 marked statutory natives of India competent for admission, whereas by the rules of 1897 the privilege of admission was confined to statutory natives of India, other than natives of pure Asiatic descent, whose parents and guardians were domiciled in Bengal, Madras or Bombay.

And, on what grounds were young men of pure Asiatic descent excluded from education as engineers in India notwithstanding the provisions of many proclamations which declared that the Queen's subjects in India, of whatever race or creed, should be impartially admitted to all the advantages and privileges of their country.

Lord G. Hamilton: I am not aware of the change in the Rules to which the hon. member refers. According to the 1897 Calendar of the Thomason C.E. College at Rurki, candidates for admission to the Engineer and Telegraph class "must be statutory natives of India." No limitations such as are described in the question have been inserted in the Rules.

Tuesday, March 8.

HOUSE OF COMMONS.

PETITIONS.

East India (Contagious Diseases).—Petitions against State regula-

tion. From Lewes, Plymouth, Leeds (two), and Rawdon. To lie upon the Table.

RETURN OF INCOME AND EXPENDITURE.

British India (Income and Expenditure).—Return presented relative thereto. [Address 3rd March; Sir Henry Fowler.] To lie upon the Table.

LAND REVENUE IN THE CENTRAL PROVINCES.

Mr. Samuel Smith asked the Secretary of State for India whether he could state what the land revenue of the Central Provinces of India was before the recent settlement operations were commenced, and what it now was according to the revised assessments:

Whether the old rule of making settlements for thirty years had been strictly adhered to; and, if not, for what periods had settlements been made:

Whether the old rule of fixing the Government demand at one-half of the rental had been strictly adhered to in determining the amounts payable by the malquzars (landlords); and, if not, what was the proportion which the sums payable by malquzars, including rates, bear to their rental:

And, whether, in view of the severe famine from which the people of the Central Provinces had recently suffered, the Government would postpone the introduction of the revised settlement for one or two years until the people had completely recovered from the effects of the famine.

Lord G. Hamilton: The land revenue receipts of the Central Provinces in 1883-84, before revised assessments came anywhere into force, was 62 lakhs; the land revenue receipts for the year ending September, 1896 (the latest year for which complete figures are available) were 76⅝ lakhs.

In most parts of the Central Provinces the settlements of 1863-70 were for thirty years; in some parts they were for twenty years; and in a few small backward tracts they were for shorter terms. The present settlement is for a term of twenty years save in a very few and limited backward tracts.

At the settlements of 1863-70, the land revenue of the northern districts of the Central Provinces was fixed at one-half the rental, while the revenue of the southern and eastern districts was fixed at from 55 to 75 per cent. of the rental. At the recent settlement, the share of the rental taken as revenue has been generally 50 per cent. in the northern districts, and under (in many cases considerably under) 60 per cent. of the rental in the southern and eastern districts.

With regard to the 4th clause of the question the following answer was recently given in the Legislative Council of the Governor-General. "The Government of India do not consider it necessary to postpone the introduction of the revised assessments in tracts affected by famine in the Central Provinces where re-settlement operations have recently been completed or are in progress. Liberal suspensions and remissions of revenue and rent have been granted on account of the famine, and the Government of India are of opinion that the revised assessments form a more equitable basis than an assessment based upon the conditions of thirty years ago can form for calculating the amount of revenue and rent which should be collected or suspended or remitted."

THE WAR BEYOND THE FRONTIER.
PROSPECTS OF A SPRING CAMPAIGN.

Mr. S. Smith asked the Secretary of State for India whether he could inform the House what was the present position of affairs as regarded the Afridis and Zakka Khel tribes against whom, as authoritatively stated in the Indian Press, the spring campaign would begin on March 7 if they did not surrender immediately, what were the terms demanded of these tribes, and, would the text of any proclamation issued by Sir William Lockhart be stated in Parliament before renewal of hostilities against them.

Lord G. Hamilton: Four of the eight Afridi clans have paid the fines imposed, and of the Kuki Khels all except the Rajgal have paid. The Zakka Khel Jirgahs, with the exception of one subdivision the Pakhai, are reported to be assembling with a view to collecting fines. The terms of submission involving the payment of fines and surrender of rifles as shown on pages 33, 34 and 153 of Volume II of the Blue-book remain unaltered, and so long as there is good hope of their acceptance, operations will not be resumed; but in order that the tribes may not misunderstand the position, road-making has commenced from Barkai and Khyber. It is not intended that any fresh proclamation should be issued.

JUTE MILLS IN INDIA.

Mr. Robertson, on behalf of Sir John Leng, asked the Secretary of State for India whether information had been placed before him showing that the agents of the three jute mills in India, which were owned in Dundee, were favourable and not opposed to the closing of the Indian mills after three o'clock on Saturdays and the whole of Sundays.

Lord G. Hamilton: The only official information which I have on this subject is contained in the statement which I read to the House on Tuesday last.

The hon. gentleman sent me some papers which show that the mills opposing Sunday closing are not in any way connected with Dundee. I will forward these statements to India, in order that if there has been any mistake it may be publicly rectified.

THE CASE OF MR. P. C. MUKERJI.

Mr. MacNeill asked the Secretary of State for India, whether he was aware that the Municipal Commissioners had selected for the post of engineer secretary to the Putna municipality Mr. P. C. Mukerji, a L.C.E. of Bombay University, who had large experience in respect of drainage and waterworks, but that the Divisional Commissioner had negatived this appointment on the ground that what was required was a competent man who was neither Behair nor Bengali, Hindu, or Mahometan, but a good European officer:

And, whether this exclusion of a Native gentleman from office and emolument by reason of his race was sanctioned by the Indian and Home Governments.

Lord G. Hamilton: I have heard nothing of the case to which the hon. member refers; but if he will give me his authority for the statements contained in his question, I will cause enquiry to be made.

THE POST OFFICE BILL.

Mr. MacNeill asked the Secretary of State for India, whether, under the provisions of the Post Office Bill, which had been introduced to the Legislative Council of India by the Indian Government, enabling any postal officer, authorised in writing by the Governor-General in Council, to stop in transit and destroy any documents passing through the post, the certificate of a Secretary to the Government of India or to the Local Government was to be conclusive proof that the detention, opening, and destruction of letters were justified in the public interest:

And, whether the Government would have any objection to lay the India Post Office Bill upon the Table of the House of Commons.

Lord G. Hamilton: Under the Post Office Bill, the Governor-General in Council may, on the occurrence of any public emergency or in the interest of the public safety or tranquillity, direct that any postal article shall be intercepted or detained or be disposed of in such manner as the Governor-General in Council shall direct; and, if doubt arises as to the existence of a public emergency or as to what may be necessary in the interest of the public safety and tranquillity, the certificate of a Secretary to the Government of India or to a Local Government is to be conclusive proof on the point. The effect of the clause containing these provisions is to define the powers of the Government of India in respect of postal articles, which are now somewhat indefinite, and to assimilate them to the powers which that Government already possesses, under the Act of 1885, in respect of telegrams.

I am not prepared to lay on the Table of the House a copy of a measure which is under discussion in the Legislative Council; but, if it should become law, and if the hon. member will then move for it, I shall make no objection.

BORROWING POWERS IN ENGLAND.

Mr. Strauss asked the Secretary of State for India what was the extent of the borrowing powers in England last conferred by Parliament on the Secretary for India; how much had been borrowed thereunder; and how much approximately had been spent of the money so borrowed.

Lord G. Hamilton: The borrowing powers in England last conferred by Parliament on the Secretary of State for India were to the extent of £10,000,000 under the East India Loan Act 1893. The sum borrowed thereunder is £9,587,598, and has approximately been spent.

In reply to a further question from Mr. Strauss, Lord G. Hamilton said:—I stated yesterday in reply to a similar question that no gold had been deposited in the Bank of England under the recent Act, but that there was reason to believe that the passing of the Act had the effect of improving the financial situation by making clear the elasticity of the resources of the Indian Government to meet demands which might arise for the transmission of gold to India.

AN EDITED BLUE-BOOK.

Mr. Maclean asked the Secretary of State for India if all the letters and telegrams relating to the abandonment of the Khyber Pass and to the Shabkadr incident were published in the recent Blue-book; and, if not, would he lay the whole correspondence upon the Table.

Lord G. Hamilton: It was not possible with due regard to the limitations of space to print more than a fraction of the correspondence received by me, but I laid before the House as full a collection of letters and telegrams upon the subjects mentioned by the hon. member for Cardiff as a consideration of public interest and convenience enabled me to do. I do not propose at present to add to the papers already presented, but in the course of the next few weeks a fresh Blue-book may be expected.

Mr. Maclean: Is the noble lord aware that Lord Roberts yesterday in the House of Lords described the failure to hold the Khyber Pass; and is it——

The Speaker: Order, order. The question on the paper is whether all the letters and telegrams relating to the Khyber Pass were published in the recent Blue-book. The hon. gentleman must not argue upon that point.

Mr. Maclean: No, sir, I am not arguing. (Cries of "Order!")

THE PLAGUE IN BOMBAY.
A SHORT WAY WITH "RUMOURS."

Mr. MacNeill: I beg to ask the Secretary of State for India a question of which I have given him private notice—namely, whether his attention has been drawn to a Reuter telegram from India which appeared in this morning's papers relating to the friction between the corporation and the Plague Committee of Bombay as to the difficulty of carrying out the plague regulations and as to the increase of the plague; and also whether he can make any statement in regard to the condition of affairs in Bombay.

Lord G. Hamilton: I saw last night the telegram alluded to by the hon. member, but I have received no confirmatory news as to the accuracy of its statements from the Bombay Government. I telegraphed this morning for further information on the points alluded to. A few days ago I received a telegram from the Governor of Bombay which was to the following effect:—"In case of rumours of serious unrest amongst Mahometans at Bombay, they are untrue." (Ironical laughter and cheers.)

Thursday, March 10.

HOUSE OF LORDS.

THE PLAGUE RIOTS IN BOMBAY.

Lord Reay asked the Under-Secretary of State for India whether

he had any information respecting the riots in Bombay which he could communicate to the House.

The Earl of Onslow: The Secretary of State has been in telegraphic communication with the Governor of Bombay in reference to the disturbances which have taken place in that city, but no telegram has been received within the last 24 hours from Bombay. Two came in yesterday, which I will read to the House. The first was as follows: "No disturbances till to-day. Have just heard serious riot took place this morning in Bombay city, on account of the attempted removal of plague patient to hospital. Four men killed, three very seriously injured; three police officers injured, one very seriously. Mr. Dastur, a Parsee, one of the Presidency magistracy, injured. Riot over for the present. Military sent for." The second telegram, which followed after a few hours, was: "In continuation of my telegram. Commissioner of Police is now with me. He says there was an additional outbreak in adjoining part of the town. Two rioters killed by fire. Promiscuous rioting in several streets. Two British soldiers were killed, and another seriously injured. Five more European police officers injured. Several private Europeans were attacked and injured. No rioting since about 4 p.m. Principal streets and hospitals guarded by European and Native troops. Rioting commenced in quarter inhabited by Julais, a sect of fanatical Mahometans, Have asked general officer commanding Poona for some cavalry." There is no official intimation beyond these telegrams, but the Secretary of State is in daily communication with the Governor, and we shall no doubt receive further information either this evening or to-morrow morning.

HOUSE OF COMMONS.

MEDALS FOR THE CHITRAL CAMPAIGN.

Sir Charles Cayzer asked the Under-Secretary of State for War if it was the case that some of the European and Native troops had not yet received their medals for the Chitral campaign which took place three years ago; and, if not, what was the reason of the delay in issuing them:

And, whether a special medal would be issued to the troops which took part in the recent campaigns on the North-West frontier in place of clasp to the medal granted to those troops who were engaged in the former frontier wars.

Lord G. Hamilton: The medals for the Chitral campaign were issued in the first half of last year. If my hon. friend will inform me of any cases in which the medals have not yet been received, I will cause enquiry to be made as to the delay. Nothing as yet has been decided as to the issue of a medal for the recent campaigns in India.

IMMIGRATION OF INDIAN COOLIES.

Sir Seymour King asked the Secretary of State for India whether any agreement had been entered into with the French Government for the reopening of the immigration of Indian coolies into Réunion:

Whether it provided for the residence in Réunion of a British protector of immigrants:

And, whether he would lay a copy of the agreement with the French Government upon the Table.

Lord G. Hamilton: A convention for the reopening of Indian immigration into Réunion has been signed, but is not yet ratified. It does not provide for the residence of a British protector in Réunion. There, as elsewhere, the protector will be an officer of the Colonial Government, but under the convention his position will be greatly improved. The immigrants can also invoke the assistance of the British consul. As soon as the convention is ratified, it will be laid on the Table of the House.

THE RECALL OF CAPTAIN BARTON.

Mr. Maclean asked the Secretary of State for India if he could give any further explanation than was contained in the Blue-book of the reasons why the Khyber Rifles at Lundi Kotal last August were, in a manner described by Lord Roberts as quite incomprehensible, deprived of the support of their British officer at the time when it was most needed.

Lord G. Hamilton: As I stated the other day, the military authorities on the spot decided that troops from Peshawar could not be sent up the Khyber Pass, and Sir R. Udny, with this knowledge, recalled Captain Barton from Lundi Kotal in the belief that the Khyber Rifles were not sufficiently strong or reliable to repel an attack if made in force upon them, and that Captain Barton's presence at Lundi Kotal would precipitate and aggravate the contemplated attack

THE PENALTY OF BEING TAKEN PRISONER.

Mr. Coghill asked the Under-Secretary of State for War whether Colour-Sergeant Walker, of the Royal Scots Fusiliers, who was kept a prisoner by the Afridis for six weeks, was charged by court-martial on his return to his regiment for being absent without leave, and whether he was ordered to lose his pay for the time he was away.

Sir C. Cameron and Mr. Lewis also had questions on the subject.

Mr. Brodrick: No report on this subject has been received from India. I may, however, say that the enquiry held was only that which, under the Queen's regulations for the army, is held on every returned prisoner of war, and under the warrant a man is not entitled to pay for the period of his absence as a prisoner of war. If, however, the result of the enquiry is satisfactory, the pay is restored by the Secretary of State.

THE PLAGUE RIOTS IN BOMBAY.

Sir J. Fergusson asked the Secretary of State for India whether he could give the House any information as to the recent disturbances in Bombay.

Mr. Dillon also asked the noble lord whether he could give any explanation of his statement in the House on Tuesday that any statement that there was exceptional agitation amongst the Mahometan population in Bombay was false.

Lord G. Hamilton: I do not think the hon. gentleman opposite is quite accurate in his statement of what I said. I was asked by a friend of his, with scarcely any notice, if I had any confirmation of certain rumours in the newspapers, and, in reply, I said that I had telegraphed to the Governor of Bombay and that I had received no reply. He further asked me if I could make any statement as to the state of things in Bombay, and I told him that the latest telegram which I had—which was some days old—from the Governor of Bombay was to the effect that rumours of unrest among the Mahometans should not be credited. In reply to the question of my right hon. friend—and perhaps the right hon. gentleman the member for Montrose will allow me to answer his question at the same time—I have to say that I have only received two telegrams from the Governor of Bombay in connection with the riots. They both came yesterday, and they are no doubt waiting until the close of to-day to report the condition of Bombay as it now is. The telegrams do not give any fresh information, but they may interest the House, as they confirm what has appeared in the public Press. The first telegram is as follows: "From Governor, Bombay, March 9, 1898. No disturbance till to-day. Have just heard serious riot took place this morning in Bombay city on account of attempted removal of plague patient to hospital. Four men killed, three very seriously injured; three police officers injured, one very seriously. Mr. Dastur, a Parsee, one of the Presidency magistrates, injured. Riot over for the present. Military sent for." This is the second telegram: "From Governor, Bombay, March 9, 1898. In continuation of my telegram. Commissioner of Police is now with me. He says there was an additional outbreak in adjoining part of town. Two rioters killed by fire. Promiscuous rioting in several streets; two British soldiers were killed, and another seriously injured; five more European police officers injured; several private Europeans were attacked and injured. No rioting since about 4 p.m. Principal streets and hospitals guarded by European and Native troops. Rioting commenced in quarter inhabited by Julais, a sect of fanatical Mahometans. Have asked the general officer commanding Poona for some cavalry." There is no official information beyond these telegrams. Investigation into the causes of a widespread disturbance in a large city like Bombay must necessarily take some time, but I am in daily communication with the Governor, and shall, no doubt, receive further information either this evening or to-morrow. I am confident that the disturbance is not the result of any excessive or unnecessary severity in the regulations or in their administration, and I feel sure that when order is restored—as is probably already the case—the work of combating the plague will proceed, every endeavour being made to give no avoidable offence to the customs or beliefs of the people—(hear, hear)—and to induce Native gentlemen of position and influence to co-operate with the Government in the performance of this humanitarian duty. (Hear, hear.)

Sir J. Brunner asked the noble lord if he would give the House any information he received before the adjournment.

Lord G. Hamilton: Certainly.

Dr. Tanner asked the noble lord if he was aware that he was reported as follows: "On Tuesday, in the House of Commons, Lord George Hamilton read a telegram——"

The Speaker: Order, order. It is irregular for the hon. member to refer without notice to an answer given to a question on a previous day.

Mr. J. O'Connor wished to know if the noble lord was in a position to state how many persons had been arrested in Bombay.

Lord G. Hamilton: No, sir; I have given the House all the information I have.

Monday, March 14.

HOUSE OF LORDS.

THE PLAGUE RIOTS AT BOMBAY.

Lord Reay asked the Government whether they could give the House any information as to the condition of affairs in Bombay.

The Earl of Onslow: We have received a telegram from the Governor of Bombay saying all is quiet. The dock labourers have not yet returned to work. The total arrests in connexion with the riots are about 200.

HOUSE OF COMMONS.

PETITION.

East India (Contagious Diseases).—Petition from London, against State Regulation. To lie upon the Table.

THE RECALL OF CAPTAIN BARTON.

Mr. Knox asked the Secretary of State for India whether, on August 18, 1897, Sir Richard Udny, having ordered Captain Barton, the commandant of the Khyber Rifles, to withdraw from Lundi Kotal, telegraphed to the Punjab Government that as there was no officer in the Khyber whom it would be necessary to succour if Lundi Kotal and the forts were attacked, it would not be necessary to do anything from that side to force the pass:

Whether the pass remained open for four days, during which nothing was done either to succour or withdraw the Khyber Rifles, who were thus left with their Native officers to be cut to pieces:

Whether there were at the time 12,000 troops within 20 miles:

And, whether Sir Richard Udny was still the responsible adviser of the Government on the frontier.

Lord G. Hamilton: It is the case that Sir Richard Udny, for what appeared to be sufficient reasons, recalled Captain Barton from Lundi Kotal, and, having done so, telegraphed to the Government of India on August 18 his concurrence in General Elles' opinion that, if that post were attacked, it was advisable not to attempt an advance up the Khyber, but to threaten Tirah. He also anticipated that the levies which remained in the Khyber, if attacked, would escape without any serious loss. Under the agreement with the Afridis it was specially provided that they were responsible for the protection of the Khyber, independently of any assistance from British troops. On

he 21st it was reported that the Afridis were gathering for an tack, which was delivered on the 23rd, with the result that the hyber Rifles, though attacked, escaped, as was anticipated, without rious loss, losing eleven men. The number of troops in the neighbourhood was approximately as stated in the third question, but, as I have before stated, on military grounds it was not considered advisable to lock up any portion of them in the Khyber Pass. The Government of India are of opinion that Sir R. Udny, under circumstances of great perplexity, acted throughout in a straightforward and loyal manner.

THE PLAGUE RIOTS AT BOMBAY.
EUROPEAN SOLDIERS AND THE PLAGUE MEASURES.

Mr. Herbert Roberts asked the Secretary of State for India, whether British soldiers had been employed in the enforcement of the plague regulations in the city of Bombay:

And whether he could lay any Papers upon the Table of the House relating to the methods pursued in the Bombay Presidency dealing with the plague.

Lord G. Hamilton: A limited number of picked European soldiers have been employed on search parties at Bombay. This experiment had been tried with great success at Poona, and, so far as I am aware, had caused no friction whatever. I am, however, informed that, in Bombay, British soldiers had ceased to be thus employed a few days before the beginning of the recent disturbance. A large instalment of papers concerning the plague has been in the press for presentation to Parliament since February 3 last. I hope they may shortly be in the hands of hon. members. When they are distributed I will consider what further papers can be presented.

Mr. Maclean: Can the noble lord say whether he has any further information as to the plague at Bombay?

Lord G. Hamilton: Yes; I received a telegram this morning to this effect:—"Bombay quiet. Dock labourers not yet returned to work. Total arrests in connexion with riot about 200."

THE INDIAN RAILWAYS.

Mr. Maclean asked the Secretary of State for India, what sums of money had been raised since the closing of the Indian Mints in June, 1893, by railway companies on a guarantee by the Secretary of State; and what further sums had been raised, whether as share capital or on debentures, by railway companies which have agreements with the Secretary of State but have not received an actual guarantee.

Lord G. Hamilton: The sums of money which have been raised since the closing of the Indian Mints in June, 1893, by railway companies on a guarantee by the Secretary of State, amount to £6,663,051; and further sums raised in England, whether as share capital or on debentures, by railway companies which have agreements with the Secretary of State but have not received an actual guarantee, amount to £3,684,282.

Tuesday, March 15.

HOUSE OF COMMONS.

PETITIONS.

East India (Contagious Diseases).—Petitions against State regulation. From Edinburgh and Sheffield. To lie upon the Table.

THE COINAGE OF INDIA.

On the motion of Sir Henry Fowler, a Return was granted for Copy of the Despatch addressed by the Court of Directors to the Governments of Bengal and Madras, on April 25, 1806, dealing with the Coinage of India.

THE NEW ARMY SCHEME.
WHAT WILL IT COST INDIA?

Sir Charles Dilke asked the Secretary of State for India, whether the consideration of proposed military changes in India connected with those recently proposed for the Home army, was sufficiently advanced to enable him to state what would be the estimated cost to India in the coming financial year of the proposed military changes, and what the cost in future years.

Lord G. Hamilton: The Government of India have under their consideration the question as to the application to British troops in India of the proposed changes in their pay; but the matter is by no means a simple one, as it is mixed up with the issue of a grocery ration, which in India is on a wholly different footing to what prevails here. I have as yet received no final report from India. It is therefore impossible for me to place before the House an estimate of the additional charge which will be thrown on Indian revenues.

THE WAR BEYOND THE FRONTIER.
THE HARD CASE OF—THE OFFICERS.

General Russell asked the Secretary of State for India, whether he was aware that, on the outbreak of hostilities on the North-West frontier of India last autumn, a number of officers who were then on leave at home were telegraphed for to rejoin their regiments forthwith; that some of those officers had only just arrived on a year's leave, and were obliged to return within a week or so of their landing in this country; and that they had been refused repayment of their passage money by the Indian Government:

And, whether he could see his way, as a special case, to relax any regulation, should such a regulation exist, which forbade such repayment.

Lord G. Hamilton: I understand there are some officers who rejoined their regiments under conditions which do not, under regulations, permit of the payment of their passage money. I propose to send out those cases to the Government of India so that they may consider if any change is advisable as to the procedure to be adopted in connexion with the recall of officers on leave.

MR. LANDOR IN TIBET.
NO "FORWARD" MOVEMENT ANNOUNCED.

Mr. Brynmor Jones asked the Secretary of State for India whether he was aware that Mr. Henry Savage Landor, a British subject, and two Native servants, also British subjects, while travelling peacefully in Tibet, in August, 1897, were arrested, imprisoned, sentenced to death, and cruelly tortured by high Tibetan authorities; and that Mr. H. S. Landor's scientific instruments, baggage, and other property were seized:

Whether Mr. Larkin, deputy collector at Almora, made an enquiry into Mr. Landor's case, and sent a report to the Government of India; if so, would the right hon. gentleman lay that report upon the Table of the House:

And whether he would take steps to procure compensation to Mr. H. S. Landor and his servants for the wrongs done to them.

Lord G. Hamilton: I have received from the Government of India an account of the arrest and ill-treatment of Mr. Savage Landor whilst attempting last year to penetrate to Lhassa, and I have also seen him personally. An enquiry was held into the case by the magistrate at Almora, and I shall be happy to show a copy of the reports to the hon. member should he desire to see them. Mr. Landor's arms and ammunition, with other property belonging to him, have been recovered and forwarded to his agents at Bombay. It appears that Mr. Landor was warned by the Tibetan authorities that he would not be allowed to travel in the country, and that he persisted in doing so notwithstanding this prohibition. His attempt to enter the country was made entirely on his own responsibility, at his own risks. Under these circumstances I fear that it will not be possible to obtain from the Chinese Government the compensation that hon. gentleman suggests.

Thursday, March 17th.

HOUSE OF COMMONS.

PETITIONS.

East India (Contagious Diseases).—Petitions against State regulation: From Edinburgh (two), Ryhope, Newcastle, Stirling, and Bristol. To lie upon the Table.

THE WAR BEYOND THE FRONTIER.
AN IMPORTANT RETURN.

On the motion of Mr. John Morley, a Return was granted setting out (1) Wars and Military Operations on or beyond the borders of British India in which the Government of India has been engaged since 1849, in chronological order; (2) the causes of such wars or operations; (3) the locality in which troops operated; (4) the results obtained; (5) the numbers approximately of troops employed; (6) the cost of such wars or operations (where shown separately in the accounts of the Government of India); and (7) the amount of any contributions towards such cost from the British Treasury.

AGRICULTURAL BANKS.
THE NEED OF PRACTICAL EXPERIMENTS.

Sir William Wedderburn asked the Secretary of State for India whether, looking to Mr. Nicholson's recent report on agricultural banks in India and his declaration that success depended on incessant experiment, he would direct the initiation of practical experiments in the different provinces:

Whether he would state what experiments, if any, had been carried out since 1892, when Mr. Nicholson was placed on this duty:

And whether he would state the grounds upon which sanction was refused to the experiment unanimously recommended in 1884 by the Viceroy in Council, and approved by Sir Evelyn Baring and Sir Auckland Colvin?

Lord G. Hamilton: I have ascertained that the Government of India are expecting a report from the Government of Madras, pending the receipt of which they have suspended action on Mr. Nicholson's report. Some experiments have been tried by private bodies or individuals since 1892, but none by the Government. At pages 55-8 of the papers presented to Parliament in 1887, on Agricultural Banks in India, will be found a full statement of the circumstances in which my predecessor withheld his sanction from the proposals put forward in 1884, stating at the same time that he was prepared to give his careful attention to any further or alternative proposals.

This evening (Friday), at a meeting to be held in Westminster Town Hall, in connexion with the East India Association, a paper will be read by Sir W. Wedderburn, M.P., on "Agricultural Banks for India — Practical Experiments Wanted." Sir Raymond West, K.C.I.E., will preside.

Lord and Lady Roberts gave a ball at Kilmainham Hospital on Thursday night.

General Sir George White, late Commander-in-Chief in India, and Quartermaster-General-elect, has decided to leave for home on Sunday next in one of the P. and O. steamers. Sir George is making good progress towards recovery from his recent serious accident, and there is every probability that he will be very much in evidence in Pall Mall before the commencement of May.

The death has occurred at Cheltenham of Colonel J. S. Blaxland, Madras Staff Corps, retired list. Deceased, who was fifty-six years of age, and had seen considerable service, was promoted to the rank of colonel in 1889.

An agreement has been arrived at as to the substance of the resolution which is to be moved by Mr. Vicary Gibbs in the House of Commons on Tuesday week. It will declare in favour of the appointment of a Select Committee to consider the effect of the closing of the Indian mints on the probable working of the gold standard in India, and on the position of the Indian currency generally. The resolution is, it is understood, to be seconded by Mr. Maclean.

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